THE LITERARY WORLD.

A Journal of American and Fareign Literature, Science, and Art.

No. 193.

NEW YORK, OCTOBER 12, 1850.

\$3 PER ANNUM.

EVERT A. & GEORGE L. DUYCKINCK, EDITORS AND PROPRIETORS. OFFICE OF PUBLICATION 157 BROADWAY.

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SUBLISHER'S CERCULAR.

STUDIES OF THE SPANISH DRAMA. FROM THE FRENCH OF PHILARÈTE CHASLES. (Translated for the Literary World.)

Drama of Love and Vengeance-A segreto agravio, segrela venganza.

LET us study Calderon in three of his dramas. one consecrated to love and vengeance—the second to the symbolic and faith-the third to the combat between the pleasure of the world and the grace of heaven; all three profoundly

It is not always in the chefs d'œuvre of men of genius that we find the strongest imprint of contemporary manners and of the peculiarities of the authors. I find much more of the Racine whom I love, of the tender and devoted heart, of the graceful and delicate man, in Berenice than in Athalie. Athalie is a grand Hebrew study-Berenice is a study from Racine's own heart, the workings of the passions as understood in the days of Louis XIV. sions as understood in the days of Louis XIV. Shakspeare scarcely shows himself in his finest works, his melancholy and dreamy genius is effaced before the images of Macbeth and Othello, he only re-appears in his individual reality in the midst of an elegiac pastoral entitled As You Like II. In it he finds elbow room and speaks for himself. The small piece entitled Critique de l'Ecole des Femmes (A Review of the School for Women), is, of all Molière's works, the one which best exhibits Molière's works, the one which best exhibits his mode of thought. Calderon is also often absorbed by his creations—his dames and his gallants are very amusing and very active beings, there are masterpieces of intrigue among his comedies of Cloak and Sword, his Autos Sacramentales sparkle with lyric elo-quence—but of all his pieces the one in which the national spirit breathes the freest, which best displays the Spanish point of honor—is Secret Vengeance for Secret Wrong (A segreto agravio, segreta venganza).

Let us enter Madrid at the period of the action. We shall see how Calderon and his

country understand conjugal vengeance. avenge one's self, to kill, to love, are the three words the most often represented in the Spanish theatre. The moralists have reason to pronounce these customs bad and these words evil, and we shall raise no discussion upon this point. The drama in question is immoral and ferocious, for the author repeats every moment the words as an axiom,

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"Would'st have vengeance! Learn to walt, To be silent—and to strike?"

It is the lyrical ritornelle of his work; he returns continually to this theory.

Calderon commences by creating a fine and simple situation. A young woman, after hav-ing contracted a marriage of convenience, meets the day after her wedding the youth of her choice, the betrothed whom she had chosen, and whom she believed to be dead. This powerful situation thus spiritedly opens the drama.

Let us remark, that in the dramatic productions of Spain there are few of those slow preparatory scenes which charm the sagacity of the men of northern climes. In the midst of this intense mode of life, writers cannot know how to distil and analyse the passions. You never see an lago slowly torture his victim, and pour the poison of jealousy drop by drop into a suffering heart; it all bursts out from one point, like those tropical plants whose calices seem to have been torn apart and, giving forth an harvest of dazzling blossoms to the sun-the scene frank and animated takes form on the instant; the capacity of attention is ap-plied to the movements of the events, not to the development of the characters. This last enjoyment belongs only to the north, alone capable of a like investigation. We must be self-possessed, must impose a solemn silence upon all our emotions, when we wish to sound the depths of character—it is a difficult subject to study. Character is the result at once of the organization, climate, education, social position, the trials of life, the enotions which have been experienced. To calculate the influences, and distinguish their shades of difference, the man of the North has need of all his reason, his finesse, his sagacity, even of all his coldness. He must follow and understand the character at the moment when the passions transform it. The simple-minded Othello becomes a ferocious beast, he roars, he slaughters, he laughs, and weeps at beholding the blood which he has shed. The feeble Juliet becomes great and fearless as a heroine of Ancient Rome; the tombs terrify her not; the young girl hides herself among the bones of her ancestors. Never would a writer of the South linger with such barbarous attention over the slow and profound sufferings of Othello and of Juliet. Never would Calderon have made us spectators of the dolorous metamorphosis of these two souls.

Let us return to the piece. The young damsel, already held, as I have said, in the bonds of a marriage of convenience, receives a letter from him whom she has loved. She strives against her desire of seeing him again, but passion gets the better of reason; passion has always admirable excuses for counsel to great follies. "I must see him," soliloquizes Leonora. "I will see him to make him promise to leave the city. I will ask, and he will obey." In fine, she sees him.
"I am a slave," she says to him. "My feet

are bound in iron, my neck bears the fatal noose, I no longer belong to myself. Re-nounce me, therefore."

This mournful dialogue, in which there is as yet nothing culpable, is interrupted by the arrival of Don Juan; this Don Juan is a friend idea of the point of honor becomes with Cal-

of the husband, whom he has protected in peril and entertained with generous hospitality. The two lovers are in a darkened place, which renders their situation equivocal: Don Juan surprises them, and devotes himself to avenging the honor of a friend. The lover wishes to fly: Don Juan stops him. "Answer! or a tongue of steel, my sword, will speak with you." The husband returning listens to the disturbance; amidst this tumult of clashing swords and angry voices, so common with Calderon, Don Luis (the lover) profits by the occasion and the darkness to escape by the first door he finds open. "Tell me your name," repeats Don Juan, thinking that he is addressing the fugitive, and holding his naked sword continually in guard.

"It is I, I tell you," the husband answered.
"You do well to speak. Had you not opened your lips the point of my sword would have opened your breast."

Explanations are made. Don Juan informs his friend that a man was there with his wife, that he is sure of it, that he heard him. The husband declares that this is impossible, and forces Don Juan to be silent; he does not wish that his most intimate friend should suppose or suspect his dishonor "If I am wronged," he says to himself, "I will be prudent, and my revenge shall serve for an example to the world. It will bide its time in silence-

"Would'st have vengeance? Learn to wait, To be silent—and to strike.

The husband dismisses his friend, takes the light from the hands of the domestic, enters a cabinet and finds there Don Luis, the lover of Leonora. He is not disconcerted, but throws his cloak over his shoulder and advances sword in hand. He has, he says, been pursued by assassins, and taken refuge in the first house he found, he remains at the mercy of him whose domicile he has violated. "Now, signor," adds he, " give me death, give it to me honorably; I will sacrifice my life, my soul, my fature, to a gentleman who thinks himself injured—I will at least not perish from the knife of a cowardly assassin." Don Lope is not a dupe. He hears him and reconducts Don Luis with politeness; this same Don Luis becomes the object of his jealousy. Leonora believes herself saved. All is calm. But the most violent rage is boiling in the heart of Don Lope. "When vengeance is the question," he says at the close of the second act, "one must suffer, be silent, wait." You hear these terrible words incessantly: every time that they are heard, the spectator shudders.

There is abundant movement and interest in this. The emotions are not suffered to repose; the heart beats quicker from scene to scene. Throw this piece, as the author created it, upon the modern stage,—it would be success-Nothing more touching than the situation of Leonora; nothing more terrible than the calmness of the Spanish husband. These essentially dramatic beauties are perceptible at the first instant; they have no need of commentary, and are much less comprehensible in reading than on the stage. They have nothing to do with the study of character: their life is passion.

We are about to see how fruitful this single

is as jealous for the honor of his friend as the husband himself for his own. Don Juan believes that Don Lope is blinded, and wishes to instruct him. Duty, friendship, gratitude oblige him to do so. But how? Will he not

offend him still more?

Will it not be better to let him repose in a shameful ignorance, which will protect his repose? This uncertainty torments him, when Don Lope appears. "Don Lope, my when Don Lope appears. "Don Lope, my friend," says Don Juan to him, "we are alone. I wish to consult you on a scruple which exists in my mind. You will advise me." Don Juan, under feigned names, details his own scruples, and the present situation of the family which has received him beneath their Don Lope's sufferings whilst his friend speaks to him,—his dissimulation, which does not betray itself,—his resolve for vengeance, which takes new force,—the intense and hidden emotion, which reveals without disclosing itself—is all magnificent. The two friends understand one another, without either having spoken of that which fills the minds of both. They separate. Don Lope meets the king, who asks whether he will remain with his

wife or follow him to the war in Africa.

"I will follow you, sire." "Take care,"
says Don Sebastian, "a husband on a journey has often many things to be attended to at home."

The king's words wound Don Lope, whose pride is excited. He believes himself discovered. So the movements of his mind are known,-his saddest emotions detected. It is a sublime monologue of pride which the Spanish poet puts into his lips. He does not allow a word of love to escape; not a regret to lost affection; not a sentiment springing from the heart; not a glance back upon his shattered happiness. The words of the king have fallen like fire upon him. Himself, himhave fallen like fire upon him. Himself, himself, he thinks only of himself. Has he not been liberal to the poor, just to the soldier, compassionate to the feeble, loyal to his station, courteous to all? And he suffers the raillery of his king. And is so profoundly wounded. Will he bewail himself that his wife loves another? "No," he exclaims, "I do not him to correct the world and women. do not live to correct the world and women: I live to avenge myself. He shall know-this king, Don Juan, shall know,-the world shall know,-and the ages to come shall know,how a Spaniard avenges himself.

"Wouldst have vengeance? Learn to wait, To be silent, and to strike."

The vengeance approaches. We already know that Calderon's world is a semi-African It will be easily recognised. Leonora, after the dramatic scene in which her lover has been surprised in her apartment by her hus-band, wishes again to behold him. The poet paints admirably this inevitable progress of the passion which is augmented by danger, intoxicated by peril, and which incessantly exposes itself to untried risks. She gives Don Luis, as a rendezvous, a country house, situated on an island a little distance from the shore. At the moment when he is in search of a boatman to conduct him there, Don Lope, the husband, appears. He politely accosts his wife's young lover, treats him with marked attention, and demands what he is in search of. "A boatman to take me to the king's Quinta."
"I will take you there myself." Don Lope, who has previously arranged with another boatman, eagerly replies, "I have promised to he says to himself, "the moment of my ven-geance has arrived." Don Luis secretly felici-

deron. Don Juan, the friend of the husband, tates himself on the complaisance which the husband shows him. But Don Lope mutters between his teeth, "He is in my hands; he shall die in them." And Don Luis continues, "So the husband himself conducts me to the

wife! Can it be possible?"

The boatman appears, and wishes to row: Don Lope will not suffer him. He forces him to remain on the shore and await the arrival of a domestic, to whom he is to say that his master will soon return. "Do not yet enter the boat," says the boatman, "it is not ready: there is a slight leak to be stopped." "Bah! bah! we will be off;-this is an excellent boat;-tell

my servant to wait for us."

They push off. The boatman sees his bark bearing the husband and the lover further and further off,—no one comes,—"When will the servant arrive? What do I behold? the boat is overset, and is sinking! God alone can save them. The sea, methinks, will be their grave!"

Lope has upset the boat, and escapes by

swimming; while Don Luis struggles with the

waters.

This is dramatic; the most terribly dramatic. Leonora awaits the arrival of Don Luis. A last hymn of sorrow escapes from that feminine soul, which appears to presage her destiny. She is in her boudoir, trembling and agitated, when a cry reaches her ears,—it is of a man struggling in the waves, who exclaims, "God save my soul!" "What is that sad cry, that ery which the wind of the night brings to me?"
She has not recognised the voice of her drowning Don Luis, but she is still under the impression of terror caused by the sound, when Don Lope, her husband, rising from the sea, ever sword in hand, appears before her.

"I touch thee, then," he exclaims, "O earth, happy home of man! Leonora, my blessing! heaven heaps favors on me! and I find thee, teo,

my friend!

Don Juan, the friend, who has just arrived upon the scene, and Leonora his wife, listen to the recital of Don Lope. "A terrible acci-dent," he says, "came near destroying himself as well as Don Luis de Benavides, the stranger who had taken refuge the evening before in his house. The bark which had carried them both had been shipwrecked. Don Luis was dead!" At this intelligence Leonora falls in a swoon, without saying a word, and (which other na-tions would have taken as the height of atrocity, but which this strange nation considers as sublime) her husband raises her, addresses her kindly, and does not allow any of the servants who surround him to perceive the furious passions which agitate him. The inanimate body of his wife is removed. "Good! good!" he exclaims, "I have done well. I have been resolute; I have been silent. Ah, I have given that young man a silent. Ah, I have given that young man a tomb of crystal and an eternal monument. In accordance with the laws of honor I have killed one,-I hope to kill the other. king will no longer say that one ought not to make a voyage after marriage. This night, this very night shall end all. Leonora, Leo-nora (he adds, as if a human sentiment had at last animated him), fair as foul! luckless as fair! Fatal ruin of mine honor! you are then to die in the midst of all that the world holds most brilliant. All the elements shall serve my vengeance. Air and water already have, earth and fire shall. This night, this very night, my palace shall perish in the flames which my hand shall kindle, and I will slay her while the flames devour the home of my ancestors. Burst forth, ye flames, my honor shall issue from your cinders pure as the gold from the crucible."

This resolution he executes: the palace arns. The king and his court, awakened by mrna. the noise, attracted by the fire, arrive at the scene of the denouement. From the midst of the blazing fragments Don Lope seen to emerge, covered with cinders. He sustains the inanimate body of his wife, and, faithful to

his first character, he says,

"Behold her; this dead beauty! She is
pale as the ashes which cover the ruins of my palace. Flower devoured by the conflagration bright flame swallowed up in the blaze.

Look, sire; this was my wife,—a noble and virtuous wife! of great heart and high mind:
a pure and admired woman! Behold her whom I have so loved: her whom I shall no more behold. Now all is said: I follow you to the war; I march with you, sire. You said to me yesterday, Beware of absence; absence is fatal. Absence need no longer give me Absence need no longer give me any concern: I shall die willingly; for I shall die spotless."

He then turns to Don Juan, his friend: "And you, my friend, Don Juan, if any one ever ask you how a gentleman avenges himself, remember me, remember Don Lope, who never spoke of his wrong, who never

spoke of his revenge."

Such is the vigorous drama which Linguet has not translated, which the critics have not cited, and which is not worth more, it is true, than many other dramas of Calderon. It is a bold sketch, full of frankness, eloquence, and passion, which connoisseurs will readily appreciate. Nothing more remains for us than to follow the Spanish custom, and entreat the reader to "pardon all our faults" before the fall of the curtain."

Perdon ; y hunside et Autor Os le pide a vuestras plantas ! [To be continued.]

THE BOSTON CODEX ALEXANDRINUS AND "CAPTATORES VERBORUM" OF DANIEL WEB-STER.

THE great and important discussion of the subject of slavery, which was lately carried on in the U. S. Senate, has given rise to a small and unimportant one of a philological point, which has been prosecuted with all the zeal and animosity, and in some instances with the and animosity, and in some instance, which too frequently mark political disputes. Some of the disputants have displayed a great amount of superficiality and sophistry. The object of superficiality and sophistry. The object seemed to be to prove, that the better politi-cian is necessarily the better classical scholar. As if a mistake in the use of a Latin or Greek word could destroy the reputation of Mr. Webster as one of the greatest American statesmen, his friends defended, and his opponents attacked with indomitable courage a Latin expression used by him. But when a discussion is carried on in such a spirit, the establishment of the truth is seldom the result.

After the publication of Mr. Webster's speech of the 7th of March, Mr. Mann took it upon himself to examine and refute some of the positions of Mr Webster, in a manner which appeared to me courteous and respectful. Mr. Webster, with an irritability not becoming so distinguished a man, animadverted with much acerbity upon Mr. Mann and his strictures, and, among other remarks, made use of this expression, "There was in classical times a set of small but rapacious critics denominated captatores verborum." The impression pro-duced by these words on an unprejudiced mind undoubtedly is, that Mr. Webster quotes from the work or works of some Latin classic or classics, in which he had found the description of this set of critics. Some persons questioned

the correctness of the statement, that there was in classical times a set of critics denominated captatores verborum, and the Latinity of the term captatores verborum in the sense in which Mr. Webster uses it. The contest waxed hotter. Passages were collected and arranged by the partisans of Mr. Webster, to prove the correctness of that expression; and that even if it had not actually been used, it might have been used.

At this stage of the contest a new champion, calling himself Codex Alexandrinus, made his appearance in the field, and feeling, perhaps, the weakness of his cause as regards the Latinity of the expression, with the skill of an accomplished tactician, changed his front, and asserted that Mr. Webster had not drawn his description of those critics from a Latin author, but from Greek writers, and more especially from those of the Alexandrine Some jokes were made, and a considerable show of erudition, to maintain this new position. I am not able to say whether Codex Alexandrinus received this important information from Mr. Webster himself, or whether it is merely a surmise-a specimen of whether it is merely a surmise—a specimen of his conjectural ingenuity; for I am not in the secret of the cabinet. If the latter, which I think more probable, it reminds me of the story which is told of the defendant in a criminal case, who was so ably defended by a glowing description of the excellency of his life and character, that, unable to restrain his feelings, he exclaimed "Oh Lord, I never knew how virtuous a man I am !" Or the case might be more aptly illustrated by an example derived from the peculiar stores of Cod. Alex. It is well known to scholars, that at an early time attempts were made by Greek philoso-phers to apply an allegorical interpretation to the older poets, more particularly to Homer, in order to get rid of the embarrassment occasioned by certain myths which could no longer be reconciled with more enlightened views of the nature of the gods. After the attempt was once made there was no lack of imitators, more especially in the Alexandrine school, so that there was at length no system of physical or moral philosophy, which was not fully and satisfactorily proved to be contained in the poems of Homer. If Homer had at that time risen from his final resting-place, and witnessed the freaks of his interpreters, he, too, might have exclaimed, O Lord, I never knew how great a philosopher I am!

Let us, however, examine a little more closely the statement of Cod. Alex. He says that the crities to whom Mr Webster more especially refers are the scholars of the Alexandrine school, whose critical toils were expended upon words, wholly regardless of their sense; that they were described (not named) by classical writers, and named by Strabo and Athenæns, δνοματοθήρωι (onomatotherai), which the Latin translator renders vocabulorum venatores; and by Philo Judæus λογοθήρωι (logotherai) which is translated in the Latin version vocabulorum captatores, and by Stephanus verborum captatores. This, then, is the gist of the argument. A certain class of petty verbal crities are described, in general terms, by classical (which I suppose means earlier) writers, and named by Athenæus, Strabo, and Philo Judæus, onomatotherai and logotherai, which some translators render, and very properly, venatores vocabulorum; and others, among them the great Stephanus, not quite so happily, captatores verborum: and that the authority of these translators and Stephanus ought to satisfy every one, and stop the months of all gainsayers. As to the passages

from Latin authors which are then referred to in support of this position, we shall see that, with one exception, they are not to the point.

I am not guilty of so great an absurdity as to deny that there have been in all, not only in classical times, such critics as Mr. Webster describes, or that these critics had some characteristics in common with the sophists to whom Cicero ascribes captatio verborum, and to whom Mr. Webster might have ventured to give the name of captatores verborum. Every man of reflection infers, as every man of information knows, that as soon as language began to be employed according to the rules of art, erities made their appearance, and among them critics such as Mr. Webster describes. The point in dispute, therefore, is not that there were in classical times small rapacious critics, but that there was a set of small rapacious critics denominated captatores verborum—a class of critics bearing the designation captatores verborum, bestowed upon them by their contemporaries.

We see, then, that Strabo, Athenæus, and Philo Judæus name these critics onomatotherai and logotherai, and that their Latin translators and the great Stephanus render these terms by captatores verborum. Without laying any stress upon, or taking advantage of, the fact, that the term onomatotherai, in one of the few instances in which it occurs in Athenæus, is not used in the sense of criticiser, but in that of maker-coiner of words, I think no one who is familiar with the great mass of Latin translators of Greek authors, and pos-sesses any knowledge of Latin, will venture to refer to them as examples of classical Latinity, more especially when somewhat singuar and rare expressions, as onomatotherai and logotherai, are to be rendered. Thus, nothing remains but the authority of Stephanus, who translates logotheras by verborum captator. somewhat more careful examination of the usage of all Latin writers, from Plautus, will enable us to judge how much weight is to be attributed to Stephanus' translation.

Before I enter upon this examination I must advert to an assertion of Cod. Alex., which is more remarkable for its boldness than correctness. He says that the merest tyro knows that as capto means to hunt, to snatch at, &c., so captator means a hunter. He wishes to establish, that if captare verba means to criticise words, captator verborum means a criticiser of words. I cannot concede to Cod. Alex. this somewhat bold argumentation in matters of language; I state my dissent, however, with all due fear of the Alexandrine Busby, who, like an usher at Eton and Rugby, seems to attach great value to the rod as a means of instilling good morals and sound knowledge. He seems to overlook the fact, that in language analogy is qualified and limited by usage. Cod. Alex. would not, I think, assert, that because dicere is a very good classical expression for to speak, it would be equally good Latin to use dictor instead of orator; or to use an English illustration, because kingly designates the quality or property of a king, therefore homely denotes that of home. Language and its phenomena are facts, with regard to which the à priori argument is out of place. We may recognise a principle of analogy in cer-tain phenomena of a language, but we have no right to make or alter the language according to that principle. In language there is no higher rule than usage,

Quem penes arbitrium est et jus et norma loquendi.

We have no right to say it might be so, but the question is how is it? I make this remark merely to show that even if captare verba meant to criticise words, captator verborum would not necessarily be a correct expression for criticiser of words. But how is it as to the verb captare itself?

I am inclined to think that Cod. Alex. and some of his friends have contented themselves, in ascertaining the meaning of captare, with a slight consultation of a dictionary. If they had examined half a dozen passages, in which the word occurs in good writers, they would have found that the fundamental meaning, to snatch at, to catch, to try to seize, is in every case to be taken in the sense to try to seize something for the purpose of using, employing, appropriating it, and that this fundamental signification is recognisable in every instance where the word is used; while the signification of to catch, in the sense to criticise, is not to be found in a single instance, or, if we make allowance for looseness of language, in but one.

In selecting some passages for the purpose of ascertaining the meaning of captare, I shall follow the order of Forcellini, who, though not very logical in the arrangement of the different definitions, omits none, and, which indeed is the great merit of that excellent lexi-cographer, illustrates each by apposite and convincing examples. I shall quote from Bailey's edition of the work. The first and in fact fundamental definition is, "to catch at, eatch, strive to obtain, go in quest of, seek for solicitously, λαμβίνω (lambano), ἐφίερας (ephiemai), idem quod capio, sire frequentatirum sit, sire desideratirum; significat enim diligenter aut frequenter capere; item capere velle, consectari, sollicite petere, quarere;" f. e. captare leporem et gruem, to endeavor to catch the hare and crane; Tantalus captat flumina, T. tries to reach, to get at the water; auras patulis naribus, to inhale, or try to inhale the air with expanded nostrils: frigus inter fontes, to search after coolness. There is, in all these instances, not the least approach to the meaning to criticise. The second definition is, " in re gladiatoria captare est insidioso ictu adversarium petere," that is, to endeavor by means of a feint to inflict a wound upon the adversary. The third definition is "captare consi-lium," to try to resolve upon, to form a plan; as capere consilium means, to form a plan or resolution. The fundamental meaning, to try to seize, get hold of, is apparent. The same is the case in the following definition, which is but a slight modification of the first; "sapissime significal studiose quærere, aucupari, sectari cupide et diligenter;" captare canas divitum, to try to get invitations to the tables of the rich; nomen imperatorium, to try to gain the name or distinction of an imperator; reverentiam ille terrore, alius amorem humilitate captavit, one endeavored to secure respect by instilling fear, the other love by humility; adventum alicujus, to snatch at, that is, to expect eagerly, impatiently, the arrival of some one; sanitum aure admota, try to catch a sound by applying the ear; solitudines, to seek solitude. In the next class of cases captare is followed by an infinitive, thus showing still more plainly the same radical meaning; agricola captans undi-que voluptates acquirere, the husbandman desiring to obtain from every quarter pleasures or the gratification of his desires; quid me captas liedere, why do you seek to hurt me—why do you snatch at hurting me? muscam captans opprimere, wishing, trying to catch a fly. The sixth definition is "interdum significat conari ad se allicere et conciliare, quemadmodum et capio, to entice, allure, induce;" est quiddam, quod sua vi nos alliciat ad sese, non emolumento captans aliquo, sed trahens sua dignitate, not alluring us by some advantage. Next follows the familiar meaning of legacy-hunting; " de iis, qui senes orbos sectantur, et omni adulatione prosequuntur, ut eorum hereditates capiant." It will be readily perceived that this signification is closely connected with the original meaning of the word. As I say capto piscem, I try to eatch a fish to eat it, so also capto testamentum, I try to eatch a last will to enjoy the property. The following definition appears to resemble the meaning which Cod. Alex. and others seem to have seen in the word, but it is in appearance only; " est etiam captiosis verbis illaqueare et ligare conari, insidiari in sermone, to eatch, take up;" quid enim ad illum, qui te captare vult, utrum tacentem irretiat te an loquentem ;-quid me captas, carnufex ;-viden' ut scelestus captat, not verba being understood, but eam, mulierem, his supposed wife. It will be seen that in all these passages the phrase is captare aliquem, a person, not verba alicujus, to catch, to entrap one with words, not to eatch or take up the words of some one. The transition to the following meaning is easy, viz. to catch, detect one in a fault; tu si me impudici'ix captas, non potes capere. The following use of the word, viz. captare cum aliquo, might have been stated in connexion with the last definition but one, inasmuch as the signification of capture is the same, the construction with cum being the only difference. Docte et astute mihi captandum est cum illoc, which Cod. Alex. erroneously translates, I must craftily and learnedly quibble with him. Docte in that place does not mean learnedly, but cleverly, cunningly. Cod. Alex. has pro-bably not looked at the context, or should he be ignorant of this frequent meaning of docte?

One familiar with the language of Plantus knows, that captare cum illo is the same as captare illum. The meaning of the passage, therefore, is, I must try to catch or entrap him cleverly and craftily.

The following definition is the only one which can, to some extent, sustain the view which Cod. Alex. and his coadjutors have taken of the word captare: "captare verba, captiose interpretari; Paul. Digest. 10, 4, 19: Non oportere jus civile calumniari neque verba ejus captare, sed qua mente quid diceretur, animadvertere; use captiously." The better definition would be to interpret too literally. Paullus seems to have been apprehensive lest the expression calumniari, which in matters of rhetoric, in composition as well as interpretation, means to earry the desire of precision and accuracy too far, might be misunderstood. and for this reason added verba ejus captare, using the phrase in a sense for which there is no other authority and which he would per-haps not have used, had he not desired to guard against a misapprehension of the less common, technical phrase, jus calumniari, to be too precise in the interpretation of the law, to interpret the law too closely, literally. But whether this explanation of Paullus' use of the phrase verba captare be correct or not, let us now see what weight belongs to Paullus as a writer and authority in matters of language. Who was Paullus? What was his occupation? When did he live? What is his reputation as a writer? These are pertinent questions. Julius Paullus was one of the most distinguished jurists of his time, a pupil of Papinian, a fellow-laborer of Ulpian, and a most prolific writer on law. He commenced his public career during the reign of captatrix verisimilium; clinging to, trying to the emperor Septimius Severus, who reigned obtain what is plausible. menced his public career during the reign of

from 193 to 211 A.c.; continued it under Caracalla who reigned until 217; was banished by the succeeding emperor, Elogabalus, who reigned until 222; was recalled by the next emperor, Alexander Severus, who reigned until 235. He belongs, therefore, to the first half of the third century. His native country is not known. By some it is believed he was born in Phœnicia, of Greek parents, and certain peculiarities of his style are accounted for by this circumstance. His merits as a jurist are eminent. His numerous works furnished a great portion of the materials for the Pandects or Digests. His style is censured as being too condensed, and in consequence of that obscure, and as being marred by foreign, Greek, peculiarities. These blemishes vanish into nothing, when we consider the influence and authority of the man as a jurist; but they must not be overlooked when he is quoted, as has been done by Cod. Alex., as an authority for an expression unsupported by that of any Latin writer.

I come, finally, to the last definition of captare; "Est etiam quacunque ratione conari decipere, to inveigle, to deceive;" as injurium est ulcisci adversarios, aut qua via te captent, eadem ipsos capi ?- Dum inter se duo reges captantes fraude et avaritia certant. It is apparent that this definition presents no new element, but is nearly allied to the eighth of Forcellini. The original signification of try to eatch, to ensnare, entrap, is obvious.

It may appear almost ridiculous to enumerate in so plain a matter so many proofs, which might be greatly multiplied; it certainly appears so to me. Yet it is the only means that I can think of, to point out the strange misapprehension under which some of the critics, who have so kindly volunteered their assistance to Mr. Webster, have labored. It would be easy to collect several hundred passages, and from the purest writers, Plautus at the head, in which the verb captare and its derivatives captator and captatio occur, and not one of them justifies the use which Mr. Webster made of the expression captatores verborum. Such being the case, of what weight in the judgment of fair-minded sensible men, can be that one passage of Julius Paullus?

To leave no point of the controversy un-touched, I must, for a moment, glance at the derivatives captator and captatio. Neither is of frequent occurrence. Captator does not at all occur in Cicero; and where it is used in Latin writers it corresponds, in its meaning, to some one of the definitions of captare mentioned before. In showing this I will again follow Forcellini. In its first literal signification it occurs once only; ac verba primum mollia suadendo blande effuderat, captator ut vitulum lupus rapturus adludit prius. It next occurs in a metaphorical sense, still agreeing with the original meaning, in the passage w plebicola repente omnisque auræ popularis cap-tator evaderet, he became a seeker of popular favor; one who endeavors to possess himself of it. Then follow the more numerous instances of captator in the signification of for-tune or legacy-hunter, which, like the verb capture in the same sense, is a natural application of the word, emanating directly from the first and original one, to try to obtain.

It may be as well to notice the feminine form, which is used in the sense which I have shown to belong to the verb: Rhetorica dua sunt partes, quarum una est contemplatrix bono rum, justi tenax; alia vero adulandi scientia est,

Still less frequent than captator is the derivative captatio; but whenever it occurs, it does not differ in its meaning from the corresponding definitions of capture enumerated before. Ut gladiatorum manus, que secunde rocantur, fiunt et tertiæ, si prima ad evocandum adversarii ictum prolata erat, et quarta, si geminata captatio est, ut bis cavere bis repetere oportuerit. As captare means to try to infliet a wound by means of a feint, so captatio signifies the attempt of doing this. But the most important passage, showing the meaning of captatio in connexion with verborum, occurs in Cicero. It is only necessary to read the whole of this passage, in order to see that captatio verborum does not, and according to analogy cannot, mean the catching up of words, meaning thereby criticising them, but the endeavor of seizing upon, using words instead of sound solid arguments. Cernenda autem sunt diligenter, ne fallant ea nos vitia, qua virtutem videntur imitari. Nam et prudentiam malitia, et temperantiam immanitas in voluptatibus aspernandis, et magnitudinem animi superbia in animis extollendis, et despicientia in contemnendis honoribus, et liberalitatem effusio, et fortitudinem audacia imitatur, el patientiam duritia immanis, et justitiam acerbitas, et religionem superstitio, et lenitatem mollitia animi, et verecundiam timiditas, et illam disputandi prudentiam concertatio captatioque verborum et hanc oratoriam vim inanis quædam profluentia loquendi. As we must be on our guard not to mistake cunning for prudence, superstition for religion, extravagance for liberality, &c., so we should not mistake the catching at words, the collecting and employing of mere words for a circum-spect discussion, for a considerate advancing of good arguments. Cicero describes in these two words, captatio verborum, the practice of the sophists, which, in another place, is set forth more fully: Sed ut intellectum est, quantam vim haberet accurata et facta quodam modo oratio, tum etiam magistri dicendi multi subito exstiterunt. Tum Leontinus Gorgias, Thrasymachus Chalcedonius, Protagoras Abderites, Prodicus Ceus, Hippias Eleus in honore magno fuit; aliique multi temporibus eisdem docere se profitebantur arrogantibus sane verbis, quemadmodum causa inferior (ita enim loquebantur) dicendo fieri superior posset.

As Cod. Alex. seems to be fond of conjectural criticism, and has not, in this instance, succeeded very well in discovering whence Mr. Webster derived the expression captatores verborum, we should have suggested to him another conjecture, were it not for one obstacle of which, to be sure, he makes no account. He might have said Mr. Webster made a slip of the pen, intending to write carptores, be-cause carpere is used in the sense to find fault with, carpere carmina (" and the merest tyro knows that as carpo means to find fault with, so carptor means one who finds fault with"); or still better, that Mr. Webster actually wrote carptores, but the poor devil of a compositor, who may have had an opinion of his own on the subject, to which he had as good a right as Cod. Alex., printed captatores. It would be highly amusing if this conjecture should prove well founded, and if all the clever attempts to justify and prove the profound classical learning of Mr. Webster, extending even to the Alexandrine school, should have been made in vain. The obstacle to which I alluded is simply this, that although carpere is used in

the sense of finding fault with, carptor is not.

But I return to my point, and say that Mr.

Webster has no good authority for his expression captatores verborum.

Q. E. D.

REVIEWS.

The Elements of Christian Science. A Treatise upon Moral Philosophy and Practice. By William Adams, S.T.P., Presbyter of the Protestant Episcopal Church, in the Diocese of Wisconsin. Philadelphia: H. Hooker. 1850. For sale by Stanford & Swords, New York.

THE writer of this book is the author of two smaller controversial works, in considerable esteem in the church of which he is a minister. The present seems a more ambitious attempt, yet he claims that it is no more than a reproduction of the Ethics of the Ancient Church. educed from its best authors before it was rent by schisms. Now whatever respect be due to the theology of the Fathers of the Church, there is manifestly no peculiar regard to be there is manifestly no peculiar regard to be paid to their labors in pure ethics, except so far as their goodness and holiness may have defocated their faculties, and given them a clearer scientific insight than is possible for worldly and wicked men. And, indeed, we question whether the vexed questions in philosophy will be put to rest, by thus mingling them prematurely with theology. That is not a system of ethics which seeks any of its groundwork in revelation; and clear thinking, and the cause of true theology itself, can only be subserved by keeping them separate till the right period when they should coalesce. Ethics must begin, as all metaphysical science, with psychology, from which emerging, its funda-mental question is, whether those notions which form the groundwork of moral philosophy are, à priori, ideas of reason, or notions derived from experience? which question must be determined in favor of the former solution, or, if the latter be adopted, the foundation of all morality, and indeed of theology itself, is swept away. This point settled, then may be deduced the nature and the rule of moral obligation; and then, after, the philosophy of morals follows morality, requiring an examination of the facts of human life and society. But pure ethics, we are willing to admit, conducts us to a problem insoluble by human reason; and then Christian theology becomes necessary, fitting to, and harmonizing with the ideas of reason and their deductions, bringing its further demands upon our faith, and supplying another authority and obligation for morality than the a priori one, co-ordinate with it, but not superseding it.

The treatise under review cannot then be called a new ethical system, inasmuch as the domain of the science is not rigidly defined, and its content logically constructed. Were we to educe the pure ethic system which must have been in the author's mind, and which is the groundwork of his treatise, we should find a great deal too much for criticism and argumentation. We shall content ourselves with pointing out a few of the radical faults and deficiencies for scientific readers of the book, and then speak of its more popular merits.

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The author divides the "governing powers" of man, viz. those which distinguish him from the brutes, into "Conscience, the Spiritual Reason, the Affections, and the Will." We are surprised that so able a thinker should reckon reason and the affections as " powers" in the same category with the will; for if the will be called a "power," in the sense of force, then it is the only power, though free will exists only in synthesis with reason: and if reason and the affections be called powers, in the sense of intellectual and emotional apparatus for the production of certain ends, then the will is not We will pick out, in conclusion, a power, but that to which these powers inhere.

Again; those ideas, which are the elements or factors in the "reasoning" of man, wherein it differs from the "reasoning" of the brutes, are, the author says, apprehended by reason, and derived from tradition in society; that is, are not à priori ideas. Of course, then, the ideas of right and wrong are so reckoned. All which may easily be shown to be absurd and impossible: for instance: The life of Jesus Christ is recognised by every man to be holy and perfect: why? because it is so revealed to be? or because a standard of holiness has come floating down the centuries? no, but because it corresponds to our own ideal of moral excellence. Therefore the ideas upon which morality is founded have an à priori origin.

Again: according to this author, the spiritual reason deals only with moral ideas,—and so he must leave the ideas of Cause, Substance, the Infinite, &c., to be accounted for on the system of Locke, which, nevertheless, he

professes to repudiate! Now, were we to go on, we should be obliged to pick flaws in his whole psychology. We will but merely advert to his ethico-theological explanation of the fall of man. According to him all the faculties of man are good, and his fall consists in their insubordination. Now if guilt be at all chargeable upon man, it can only be chargeable upon his will; therefore his will is not naturally good, but evil; for a will which is both good and evil is

absurd.

Free will existing only in synthesis with reason, that is, with the revelation of a higher law, its evil must consist in a bias-a tendency downwards. The object of life, the end of human nature, the summum bonum is, a good will; how this is to be produced, ethics or any philosophy furnishes us no explanation. Philosophy lands us at that point, viz. that a will, with a bias to the lower law, cannot restore itself; and here revelation steps in, furnishes the transcendental solution, and theology proceeds. Therefore moral evil in man consists, not in any insubordination of his faculties with the guilt of which he is not chargeable, but in an evil will. And when by supernatu-ral power its freedom is restored, and it becomes a good will, the insubordination and conflict are the result of foregone habits of transgression. "Ye are clean," says our Saviour, "He that is washed needeth not save to wash

Now while we cannot praise our author's philosophy, as he states it scientifically, we will say that we think that he has an instinct of the truth all along, insomuch that no practical mistakes are likely to ensue to any reader. And with his theology we have no fault to find. It is an accurate, lucid reproduction of the theology of the early church. On all questions of morality the author is equally clear and truthful. We think it a most profitable book for popular reading, and a most useful one, under a competent teacher, for a text-book in Christian seminaries Our criticisms, of which we have given but a moiety, pertain wholly to its psychology and metaphysics. Otherwise, the book has pleased us, and it is one that we would gladly put into the hands of others: healthy moral food is it, well suited to the present day. A shrewd observer of human life, with much learning and considerable poetic susceptibility, the author's illustrations are fresh and racy, and his style entertaining; the whole book being far more interesting than books in general upon such topics, aside from its supply of healthy thought and principle. We will pick out, in conclusion, a few extracts

" If you wish to develope to the uttermost your own intellectual powers, or those of youth, the first and greatest means is the establishment, to the completest degree that the instance will admit of, of the supremacy of the moral power.
"We shall not claim to demonstrate this; we

shall only give reasons that may show its proba-

"In the first place, more persons are kept from a development of their mental powers by impediments to, than by actual deficiency in those powers: and secondly, almost all these are impediments to the 'grewing' powers. Leok at the reasons why children or men cannot develope their mental powers. 'He could not fix his mind to study;' 'He could take no interest in studies;' 'I believe he could study well enough, but I never could persuade him to do so; or, 'He knew he could study, and that he ought to do, but he never did it. What are these excuses which we hear so often? All of them deficiencies in the growing powers, not impairing, but at the very first wholly preventing the exercise of the mental The first a deficiency of the Will, the second of the Affections, the third of the Reason, the fourth of the Conscience. Actual stupidity, in nine cases out of ten, is caused, not by deficiency in the mental faculties, but by inertness of the moral powers; and he that examines history, and sees how the fierce passions which inflame and set the will, ambition and hatred and avarice, have enabled the mental powers to act, may see this to be true. He, too, that sees how much the affections will both give a spring and impetus to mental labor, shall see the same.

"To shut off from our fellow-men the flow of our sympathies; to harden the heart voluntarily, and look upon them solely with an eye to gain; this self-discipline, if we know anything of the nature of the mind and of its diseases, is neither more nor less than a preparation and a training for Insanity. And were a physician to be asked how a sound-minded man could soonest turn himself into a suicidal maniae, by a course of internal and voluntary mental action, he would give this,to cut off and restrain the sympathies, so that they should not flow towards his fellows, that so the Heart should be perfectly alone and isolated from all participation and communion of feelings

with other human beings.
" And when we look at the set and fixed ambition after money of the many, and the keenness with which they are alive to that object alone, and the coldness which they assume to all besides; and then see the accumulated number of cases of insanity growing year after year, we do connect the one with the other. We do say, if you would have a healthy and a sound mind, free from all taint of disease, then let your sympathies flow forth freely towards the poor, the distressed, the miserable, all that need succor and aid."

The following testimony of a foreigner, educated and thoughtful, after a ten years' residence in his adopted country, may be regarded as dispassionate:-

"There seems, as regards mental power, as much difference between a rude European peasant and an American citizen, with an ordinary education, almost as between a beast and a man.

"The effect manifestly this is of Education en-tirely and completely. For the whole of the In-stitutions of Society in this country, and the whole of its influences, are Educational; so that, in fact, to him who truly contemplates the Republic in this point of view, it is fully manifest that saying of Plato is, in effect, entirely correct—that a True Republic is truly a School.' And the more perfect the Republic becomes in spirit and action, the more perfectly all its institutions must have an educational effect.

It is matter of regret that an author whose style is, in general, so good, should not be a little more careful to make accurate use and collocation of words, and to avoid redundancy. FOWLER'S ENGLISH GRAMMAR.

The English Language in its Elements and Forms, with a History of its Origin and Development: designed for Use in Colleges and Schools. By Wm. C. Fowler, late Prof. of Rhetoric in Amherst College. New York: Harper & Brothers.

[SECOND NOTICE.]

This very learned book ought to be in the hands of every American philologist, -of every one who is curious to understand the origin and history of the English language. There is no other work of the kind which can supersede the necessity and value of this. Professor Fowler, of Amherst, has, in compiling it, done a great service to the literary public. the same time, it is but justice to say, that he is indebted for the conception, and plan, and substance of his book to Prof. R. G. LATHAM, Professor of the English Language in the University of London, whose "English Langrage" was published in 1841, and whose "Grammar" was published in 1843. Indeed, of the works of Dr. L., Prof. Fowler, in his preface, acknowledges that he has "used them freely."

The honor of original research, and of striking out the path of disquisition here pursued, belongs to Dr. Latham; but Prof. Fowler has made improvements and enlargements; and his work contains perhaps a hundred pages written by Professor J. W. Gibbs, of Yale College, which have a distinct mark of originality, placing him on an equality with the English philologist.

This work is admirably printed in 675 pages, large 8vo. But, in our opinion, the last 245 pages, which relate to logic, syntax, rhetoric, &c., containing little that is new, should have been given in a separate volume, for practical purposes, to be used in schools and colleges. Abstracting this part from the volume, there remain about 400 pages of learned historical and philological research, combining the labors of Latham, Fowler, and Gibbs, which cannot but be read with great interest by all persons who have a taste for such disquisitions.

Surely, every educated man ought to be desirous of clearly understanding many of the subjects which are here discussed; such as the elassification of languages; the various ele-ments and sources from which the English language is derived, particularly its relation to the Anglo-Saxon; the various changes through which it has passed; the remaining dialects in Great Britain, which disfigure it, and the American corruptions of it; the elementary sounds, and the alphabetical history of the language; the arrangement or classification of the various parts of speech; the derivation of words, the prefixes and suffixes, the origin of surnames, the names of places, &c.

We by no means approve of the division of the tenses—adopted from the German grammarians and from Latham-into the strong and the weak tenses, the past tense in the strong being formed by a change of the vowel, as fell from fall, and in the weak by adding d or t, as loved from love. The old division is better, of regular and irregular, or that of the Saxon and modern tenses; for, according to Latham, "all the strong verbs are of Saxon origin," and " no new word is inflected according to the strong conjugation." It would have been more satisfactory if Prof. F. had given, as L. has, a list of the "weak verbs," which were once "strong;" or of the regular, which were once Saxon or irregular—as wreak, fret, mete, shear, braid, knead, dread, &c.

to follow them, it is not to be wondered at to follow them, it is not to be wondered at that our learned philologists should coin new words, and thus be guilty of a "barbarism," as defined by Prof. F., "in the use of words entirely new;" as "definitude," "misdistributing," by Fowler, and "factitive" and "ampliative" by Gibbs. But although these words are not in Webster's Dictionary, yet they can hardly be called "barbarisms," for they are intelligible and useful.

We think Prof. F. would do well to revise we think Prof. F. would do well to revise his list of verbs irregular. He has marked as obsolete the word spake, which is used more than a hundred times in the Bible, while spoke is not once used: nor is the word abandoned by modern good writers. Latham has not marked it as obsolete. Other words in the same predicament, in regard to which the judgment of Prof. Fowler differs from that of Latham, are the following:—brake, sware, bare, tare, smit, writ, clomb, flang, swoll. It does not appear why Prof. F. should have omitted the following obsolete words, given as such by L-namely, hing, slat, stack, wrang. Why should be denounce as obsolete forgat, which is always (except once forgot), used in the Bible ! Or chode, which is better in sound than chid, the latter not found in the Bible? We would also have it considered, whether the doom of obsoleteness belongs to shrank, span, spat, stang, stank, and strake. We doubt also, whether broke, rode, spoke,

and trod, should be given as participles.

When Prof. F. says, that the word theater is in the Latin language, as are orator and senator, it should be remembered that the Latin word is a little different, and in a form which does not justify but rather condemns the Websterian new spelling, theater. The old spelling theatre should be retained, for it shows to the eye that the derivation is from the Latin theatrum, not theater. For the same reason we should write metre, as showing its derivation from three languages.

There is another word, as to the spelling of which Prof. F. follows the innovation of Webster ;-it is traveled, instead of travelled : and for this he gives it as a rule in the English language (p. 166), "that verbs, ending in a single consonant, but having the accent on the syllable preceding the last, ought not to double the final consonant." And so, he thinks, traveller should omit one I. Webster says, that Perry lays down the rule, though he does not follow it, and that he finds "in all authors, travelled, levelled, worshipped, libelling," &c., with the consonant doubled. To the rule these cases are acknowledged exceptions, in the view of "all authors" before Webster. Walker mentions the rule, but adds, "the e is doubled, whether the accent be on the last syllable or not, as duelling, levelling, victual-ling, travelling, traveller, &c."

Let us inquire, whether there is not a good reason for this, and whether Webster's departure from the practice of all preceding lexi-cographers is to be commended? If the word travelled and other similar words of three syllables be written with but one l, as traveled, the form of the word does not show to the eye, whether it be of three syllables or only of two, as trace-led. The same doubt would exist as to shrive-led, grave-led, mode-led, re-mode-led, leve-led, libe-led, reve-led, bowe-led, embowe-led, drive-led, beve-led, &c., if in this form were written shrivelled, gravelled, mo-delled, remodelled, levelled, libelled, revelled, bowelled, embowelled, drivelled, and bevelled. Here then is a very good and sufficient reason for retaining the double l in all these words: As it is easier to lay down good rules than and if this reason will not apply to worshipping

and others, then they may fall under the rule, to which they are now exceptions, if custom so ordain. The universal practice, until Webster, proves the English rule really to be, that the l in the above words and similar ones is always to be doubled. In regard to the most busy and important of these words,-traveller, there is another reason for writing it in this form, that it may correspond with the French word travailleur. In all such words, if the two Is be retained, it is instantly seen that the word is of three syllables and not of two. An innovation in this case is clearly in the wrong. The authority of Webster is nothing; and the old, uniform, universal practice until his day should be restored. The old mode of spelling in these words may be regarded as what Prof. F. calls (p. 151) an "orthographical expedient."

NEW LAW BOOKS.

Barbour's Supreme Court Reports. Volume 5. Banks, Gould & Co.

Denio's Reports: Supreme Court and Court of Errors. Volume 5. Banks, Gould & Co. A Treatise on the Law of Husband and Wife, as respects Property. By John Edward Bright, Esq., of the Inner Temple, Barrister at Law. With copions Notes and References to the American Decisions, by Ralph Lockwood, Counsellor at Law. Two volumes. Banks, Gould & Co.

OUR notices of the two first of the above volumes have partaken of the delays of the law, and it is only on the score of their connexion with that dilatory branch of science that we can account to ourselves for not having given them the attention they deserve in an earlier number of the Literary World.

If we had been advocates of the new Judi-

ciary System, or were very much in love with its practical operation, we should be sorry to have its merits and advantages, as compared with the old system, tested by an examination of the adjudged cases reported by Denio and those in the volumes of Barbour. Denio's Reports commenced in May, 1845; Barbour's, in August, 1847; but by the time that the former series was completed we had as many volumes of the latter, besides two volumes of Comstock's Reports of the decisions of the Court of Appeals, analogous to those of the late lamented Courts of Errors which used to be included in Denio. At this rate it is hard for the profession to keep pace with the Judi-ciary. Thirty-two judges certainly have the advantage over three, so far as the despatch of decisions is concerned, and no wonder that of the making of many reports there is no end, considering that the reporter is not obliged to follow the four regular terms of the court held always by the same judges, but can draw his materials ad libitum from the Onondaga, Montgomery, Steuben, Chenango, and Cattaraugus General and Special Terms, to enumerate no others, and work them up into two

sizable volumes per year.
Undoubtedly Reports of adjudged cases, especially of courts of high jurisdiction, are amongst the most valuable of law books, and contain more learning and the results of deeper research than any, even the most famous Treatises and Commentaries upon particular branches of jurisprudence or legal science in any of its departments. The learning of Lord Mansfield, the sound common sense of Chief Justice Marshall, the clear and logical deductions of Kent, and the elaborate erudition of Story, are all stored in the volumes of their reported decisions which form the most indispensable part of a lawyer's library. By their side the Reports which the fifth volume of Denio brings to a close are worthy of a place, not only on account of their practical usefulness as immediate authorities in the courts of this State, but also for the real learning and judicial ability which their pages display. Denio's Reports had at least the prestige of the direct succession; they came regularly enough in orthodox sequence after Hill, Wendell, and Cowen. They contain the decisions of the same courts as Johnson and Cairnes, and they did no damage to the reputation of these courts.

tion of those courts.

But Mr. Barbour's labors are in a different field. His title-pages, it is true, correspond with those of the former reporters of the Supreme Court, with the exception of his jurisdiction over "cases in equity" as well as cases in law, and the dropping out of the court of last resort for the benefit of the special reporter of that tribunal. It is still the judgments of the supreme court of the state of New York that are contained in these columns, and the practitioner who keeps himself on the qui vive for the latest judicial novelty, must add them semi-annually to his stock of law books; but the authority which used to dwell in the Reports of which these are the successors, is lost and gone. By the very constitution of the new supreme court this result is inevitable, apart from the practical question of the expediency of the new system.

Now, the decisions of the Supreme Court mean the decisions of its separate branches; the immature dicta of a local bench, or the rusticum judicium of a country court. Without any centralization or concurrence of action, there cannot, of course, be any certainty or stability in the results thus arrived at. There is, to be sure, a sort of convenient etiquette, which imposes upon Judges in Essex and Oneida acquiescence in the decisions of their brethren in Westchester and Putnam, provided they happen to know how the latter have decided in any given case; but it would be doing great injustice to somebody, to suppose that there was a uniformity of intellect and legal acumen dispersed over the whole judiciary, or that the General Term of the First might not, by possibility, include greater density of brain than that of the Seventh Judicial District. The consequence is, that the trumpet of the Supreme Court gives a very uncertain sound, owing to its being blown upon from all quarters of the State at once, by two-and-thirty Judges of the most diverse opinions, habits of mind, and processes of thought. Here, at home, where we are supposed to know our own judges, and to have some standard by which to measure their comparative ability, it is all very well; but we cannot suppose that their decisions, being in effect the judgments of eight distinct tribunals sitting in different parts of the State, will receive in other States, or be regarded by future generations with the estimation and respect to which the Supreme Court of New York had become entitled by prescription.

BRIGHT'S "Husband and Wife" is a reprint by Messrs. Gould, Banks & Co. of a learned English work, elaborately edited by Mr. Ralph Lockwood, of the Bar of this city. Just at this time, when greater uncertainty than ever has been thrown upon the law of husband and wife, in its relations to property, by the recent Statutes of this State, the want of a profound treatise on the English law, and the established principles which it represents, is especially felt. In England, and indeed in this State, this branch of jurisprudence, abounding in difficult distinctions and perplaying questions.

had gradually been moulded into a complete system of equities, covering all the entangled rights and liabilities which marriage and its incidents connect with property. This system the Legislature of New York, in 1848, effectu-ally demolished, so far as it formed a part of the law of the State, by the "Act for the more effectual protection of property of Married Women," by which, and the amendments added in 1849, it was enacted that married women should hold their property in the same way as if they were single, and dispose of it without reference to the husband, and with no charge upon it for his debts. In other words, the property of married women was "more effectually protected" by taking it away from their husbands and giving it to themselves. The theory was very fine; there were to be no more lazy husbands living upon the portions of their wives: under the operation of these terrible game laws, the race of Fortune Hunters was expected presently to become extinct; spinsters, with snug jointures, were no longer to be the prey of middle-aged gentlemen out of employment; the old-fashioned ceremony of marriage, it is true, was not interfered with; wedding rings and bride's cake were not declared null and void; but it was expressly provided that the "love, honor, and obey" of the blushing bride carried with it no title to the rents, issues, and profits of her estate, real or personal, and that all her choses in action continued inviolably her own, not-withstanding the orange blossoms and the bridal vow.

The great accession of happiness which it was expected would immediately accrue to married women, on the passage of this act, did not arrive. Husbands and wives went on very much as before. Jewellers and Modistes continued to send to the husbands for the amount of Madame's last bill for diamonds and dresses; and the unlucky husbands, still in the revolutions of Fancy Stocks and Cotton Trade, went on, breaking all to pieces, and then laughing at their creditors from inside of the snug retreat of "my wife's property."
Whether the statutes were against the Constitution of the State or not, has been a grave question for the courts; but we presume the constitutions of married men, which they were specially intended to attack, have not suffered at all. Now and then a suspicious husband consults the laws of 1848 and 1849, with a view of advising with his counsel as to the best way of arranging matters so as to leave things as they were; but the practical operation of the laws, fruitful as they will be hereafter of questions for lawyers and judges, really varies so little the former relations as to give a new illustration of the truth-

" How small of all that human hearts endure The part that Codes or Laws can cause or cure."

Mr. Lockwood goes very largely and learnedly into the subject of these new statutes, and the various questions which arise under them, in an extended note at the close of the second volume, in which he examines the cases which have arisen since their passage, and the principles on which they are founded. He is a warm advocate of the policy which they introduce, and his able and ingenious commentary forms a very suitable part of the present work, for which the legal profession are indebted to his industry and research.

If an Artist love his Art for its own sake, he especially felt. In England, and indeed in this State, this branch of jurisprudence, abounding in difficult distinctions and perplexing questions, is the test of a true love.—Washington Allston.

Genevieve; or, Peasant Love and Sorrow. By Alphonse de Lamartine. Translated by Fayette Robinson, Esq. Stringer & Townsend.

WE have had occasion with M. de Lamartine, when the subject of his story has been married life, and the scene Paris, to take exception to a certain false logic of the passions, which prevails in modern French romances, though we believe, in sympathy and intent, there are few purer writers than this author. In this book, however, the latest production of his pen, we have a pleasing pastoral tale, which if not altogether according to the severer and juster school of English novel writing, is free from corrupting sophistries. Readers who have wept over the simple (à la Français) tale of Bernardin St. Pierre, may not grudge their tears to the peasant distresses of Genevieve.

This story is introduced by a considerable prologue, in which the author makes ground for a new series of domestic novels, books which may be read by the laboring classes, to whom study is toil to be escaped from, and accumulation of facts sheer rubbish; works, in fine, to enlist the heart and the affections,—to touch to finer issues, the familiar realities of everyday life. M. de Lamartine is undoubtedly a man of feeling and of imagination, and were his resources of invention equal to the demands made at this time of day upon the novelist, he might be quite successful in producing a new school of fiction. He might in another walk do for popular French literature, the reading of the people, what Paul de Kock has done in the region of humor. The forte of Lamartine is sentiment, decorated by a certain imaginative picturesqueness. The humor of Paul de Kock includes sentiment as its dependant. We think the latter a writer of wider scope and more perfect development.

wider scope and more perfect development.

Genevieve, a tale of "peasant love and sorrow," is filled with traits and incidents to endear it to the hearts of a particular class of the people, if such there exists whom it will reach: the faithful domestics of rural life, the adopted stranger into the household, the participant of the family cares and pleasures, with whom neither hire nor duty supplies the motives to live and work which spontaneous affection and dependence liberally afford. This class, which finds the law of its existence in the deepest and best feelings of our nature, has become almost extinct under the operation of the recent civilization. Nothing can be more opposed to it than a continued system of emigration, where households are continually broken up; where old associations, links to persons and places, are sundered; where, in a new country, everything has to be built up anew; where there is a struggle for bare existence, dependent immediately upon indivi-dual effort. Then, again, the pervading money equivalents of our political economy systems, the merciless ratio of demand and supply, the contest for luxuries, for social position; the decline of vested interests, the constant shuffling of modern fortunes, these leave no soil for the root of honorable domestic servitude. Still the principle remains, the mutual dependence and allegiance, and will always seek to esta-blish itself in some form or other. Genevieve carries it from the house of the curé to the ministrations of the village hospital.

But the glimpses of this relationship are but a small part of this interesting tale. We are attracted by its graceful pictures of village life, of mountain scenery, of provincial cus-

Its dramatic situations are striking, and

though some of them are too readily anticipated, and have an air of commonplace, there are incidents which are new and powerful. The motive for abandoning the lover at the crisis of the story, is new and full of interest. The reverse of a fortune always humble, which brings the innocent Genevieve on the mountain to be the companion of the cattle in the stalls, is touching and beautiful. We will not detail the story which leads to this, confident that the detached passage will arouse the curiosity of the reader to what precedes and follows. Here it is—one of Lamartine's powerfully handled pieces of description:

"When I arose, my legs were so swollen, and my feet so frozen, that I had no sensation in them. It was so dark that I could see nothing. While, however, listening so attentively that I could have heard the fall of a snow-flake on the silent mountain, I heard close by me the deep lowing of a cow, to which a cock, asleep and crowing, perhaps in a dream, replied. Perhaps the cock took some ray of a star for dawn.

" Monsieur, I cannot tell you what I thought when I heard the cock and cow. I said to my-self, 'Man is there.' It seemed to draw me from the depths of a river, in which I was being drowned. and to place me in the palace and bed of a queen. I was so overpowered that I fell down, but arose to kneel, and thank God. I listened again, and a second time heard the coek crow to it. I heard, yet more faintly, however, the lowing of the cow. I drew cautiously near the place whence the sound came, and soon saw a black grove of pines on the declivity of a hill, and the shadow of a house and barn on the heaps of white snow which covered everything else. In a few minutes I found myself in an expanse, better lighted by the stars, in which I saw a well, a farm-pile, wagons, yokes, and harrows, leaning against the wall, and a stairease leading to a room. I saw no light, I heard no voice, no whistle, not a footstep in the house. I did not dare to call, lest I should be taken for a ghost or a robber. I could not remain out of doors during the rest of the night, lest I should die of cold and fear. I was bold, Monsieur. I did not doubt, since I had heard a cow, that there was a stable, and I felt with my hands along the wall of the house, until I found a door. It was shut, as is always the case in the mountains, only with a wooden latch, shooting into a secket, like a cork into a bottle. I lifted up the latch; I pushed open the door; shut it behind me; and, by the noise, discovered that I was in a stable, where there were several animals, and where it was as warm as the curate's room when I lighted the stove to let him

read his breviary in quiet.

"The cows did not even get up. I, however, heard the sound of two or three of the bells on their necks, as they turned around to know who came so early into the stable.

"Shelter, warmth, and the pleasant atmosphere of the house, in which lay several cows on the floor, well swept and well washed every day, as in Switzerland and the Mount Jura, in a few moments restored me, more completely than a woodfire bright as ours would have done, and restored me to consciousness and thought. I felt my way, being aided by the feeble light which came in through a trap, and by the eyes of the disturbed animals, which shone in the darkness like stars. I went to the other end of the stable, where it was yet warmer than at the door, and taking an armful of hay from the rack, I lay on it, trembling and wet as I was with the melted snow, by the side of a noble black milch eow, which drew aside to give me a place in her stall, and warmed me with her breath, as she panted with fear of the stranger who had come to disturb her. I soothed her with my hand and voice, so that in a few minutes she was gentle as she would have been with the milkmaid or servant who attended her. The hay, into which I plunged my hands, feet, and head, as I would have rubbed them with a linen napkin not yet bleached, the warm air, the respiration of

the cows, soon dried the moisture of the storm. As I lay close to the cow as to a good stove, my body also became warm. I felt as if I were in a place of refuge, built by the Almighty, on the mountainbrow, like that in which the Holy Virgin, in her flight from Egypt, found sheher. This recollection, which just then came to my mind, made me forget all shame at begging a share of the bed of the cow, and I said, 'Since God's handmaid was not afraid of a stable, why should you be?' I finally went calmly to sleep, as the wind rattled the shutters of the stable, and the fine hall beat against the glass.

"When I awoke, I thought, so refreshed, supple, and calm did I seem, that I had slept the whole night. In the meantime a feeble light commenced to make its way into the stable, through the holes between the lintel and the door. I saw that I was in a fine stable, the walls of which were white as lime could make them, and the floor of which was of pine logs, with the bark on, with hay between the cracks, and scrupulously clean. On planks of glittering beech, and against the wall, were seen pine milk pans, yellow as gold, butter-tubs of the same wood, and earthen vases, some of which were deep, and others broad, like leaves lying on the ground, that the milk might be more conveniently skimmed, and that the eream might rise more freely. In the stalls were nine handsome cows, of every size and color. They were red, black, white, and pied, all of them fat, and in as good coat as if it had been the se son of young grass and flowers. They had left on their leathern collars and their bells, because, in the winter time, the sound amuses them in the house, by calling the fields to their memory.

"As I looked at the cows, the vessels, the hay, the straw, the knote, I felt myself devoured by hunger and wonder. There was much cream in a large vessel of earth, almost touching me. I dared not, however, dip my lips or even the point of my finger in it, without permission of the owners. 'It is enough,' said I, 'to have taken, without permission, a place by their cows, and the shelter of their walls, without stealing their milk' I had rather have died; and therefore, to avoid temptation, looked another way. I said, 'When they awake, they will give me a morsel of bread, and a drink of water from the well, before they point out the way to another village or hut.' Monsieur, when I remembered that I had neither cape on my neck, nor shoes, nor head dress; and when I looked at my torn and mud-stained dress, the bottom of which looked like a street broom, I was so ashamed and afraid of the opinion they would form from my appearance, that I was ready to go famishing and thirsty, if I could only be unseen."

The translation of Mr. Robinson is well executed, though in the haste of producing the work, a passage here and there is blurred by a typographical error or omission. We are glad to perceive that we are promised by Mr. R. the succeeding works of the series. The prompt enterprise of the publishers, too, should be acknowledged.

A Descriptive Geography and Brief Historical Sketch of Palestine. By Rabbi Joseph Schwarz, for sixteen years a resident of the Holy Land. Translated by Isaac Leeser. Philadelphia: A. Hart. 1850. 8vo. pp. 520.

This work is got up in good style, except the engravings, which for the most part are mere caricatures of the objects professedly depicted. The author and his translator make large claims; we could only wish they were well founded. Instead of any critique of our own, we will here give the judgment of the celebrated RITTER in his volume just published on Palestine, part xv, p. 59.

"In 1845 there appeared a volume by the German Scribe, Rabbi Joseph Schwarz, in Jerusalem, under the title, Sefee Tebout

Haarez, A. 5605, that is: A new Description of Palestine, in octave. The work is extolled as being drawn from modern Hebrew-Rabbinic sources, and from personal observation. By means of the translation of this work, which we have eaused to be made for us by a Jewish scholar, we can indeed make use of some things; but, in those portions which relate to the description of the land itself and its natural productions, we have found very little worthy of note that is new, or what has not already long been known. The author is not wanting in learned references."

These learned references, however, all have respect to Rabbinic writers. No traveller other than Jewish appears to be at all cited; though some would seem to have been con-

When we remember Ritter's kindness of manner, and his readiness to make the most of every traveller, we may be sure that the above is the highest praise which the work merits.

Ellen Parry; or, Trials of the Heart. By Olivin. D. Appleton & Co.

"TRIALS of the Heart" sounds like the title of a novel of the style in favor with our great-grandmothers; but the trials of the book are not merely those of love, but of a sensitive mind thrown, by the sudden death of an improvident father, on the cold charities of the world, and the trials of that same heart, although aided by a strong and resolute will to bear the misfortunes of that lot with resignation, patience, and cheerfulness. It will be seen that the subject-matter of the book is vastly different from the sentimental staples of the superannuated inanities to which we have referred. The story is interesting, the characters of the present day, and the scene among old English country houses, that favorite ground of the lady novelists, and it must also be arlowed, of their readers.

De Bow's Review of the Southern and Western States, for October.

This review, now in its fifth year, has not as yet received the attention which it deserves at the North. It is amply supported, we learn, at the South; and for this reason, as an accredited organ of the commercial interests of that great region of our country, should find its readers in all circles. We should be more anxious to learn what views are taken of our great producing interests, and of the national questions which agitate the country at headquarters. Mr. De Bow, the editor of this Review, is Professor of Political Economy in the University of Louisiana. A glance at the last number of his journal, punctually before us on the 1st instant, will show that the topics, social, literary, and economical, at his command, are neither few nor unimportant. First, we have an article on a question of local improvement, —the Mississippi Valley. This is followed by an historical essay on the old Spanish parties in the West, vindicating the politicians of Kentucky; then an elaborate article from the editor, on the Early Commerce of the United States; a chapter on a novel and interesting subject, the Scuppernong Grape and Wine making; remarks on our agricultural produc-tions, by the editor,—a quaint reproduction of the incidents of old Spanish chroniclers, in a series of imaginary travels, from the pen of J. M. Legare, an accomplished writer of South J. M. Legare, an accompusated writer of South Carolina; a review of "Canada annexation," by J. A. Turner, of Georgia; an article on the currency, from Mr. Kettell, of this city; with some fifty pages of closely printed statistical, commercial intelligence, miscellany, &c. These are all matters on which Southern information | lectual capability, have been noticed by almost is necessary, and Southern opinion a matter of literal curiosity. Mr. De Bow's Review should be in the hands of our merchants generally. No reading room or public l.brary can be considered complete without it.

Mr. GARRIGUE has issued Part XII. of the Iconographic Encyclopædia, occupied with a portion of the plates illustrative of the manners and customs of different nations. The publication of this work is so successful that a new issue has been entered upon, of the numbers already published, the first edition having been entirely exhausted.

M. B. BRADY has issued, from a daguerreotype taken at his establishment, a capitally executed hithograph of Jenny Lind, the most accurate of the many portraits offered of the Swedish singer. Its softness and finish are free from the hard traits of the early engravings after daguerreotypes. We have also from the same publisher the Tenth of the Gallery of Illustrious Americans—a portrait of President Fillmore, not inferior to the best of those hitherto issued in this series. It is a happy example of force and ease, and fully vindicates the capabilities for art of the daguerreotype in the best hands. The letterpress is a neat and satisfactory memoir of the President, from the pen of Mr. Lester.

MR. PICKERING ON THE RACES OF MEN. We have already mentioned that the work of Dr. Chas. Pickering, of Boston, upon "The Races of Men and their Geographical Distriwhich constitutes one of the volumes of the Exploring Expedition, has been republished by Bohn, of London, in one of the numbers of his Illustrated Library. The London Weekly News of September 14 contains a notice of this work, in conjunction with the book of Dr. Latham, on the "Natural History of the Varieties of Man," from which we take the subjoined passages :-

"The very name of the science of Ethnology is only a few years old; but it is the science to which the largest number of powerful-minded men in many classes of life now devote themselves. It is the favorite science, not only of the academical recluse, but of the soldier, the sailor, the physician, and the emigrant. It is dabbled in by many, it ought to be earnestly studied by all politiciaus. It has deep and solemn interest for the divine. Its higher problems deal with the Unity, the geographical origin, the antiquity, and the future destination upon earth, of man. It scrutinizes and compares the respective physical and mental characteristics of the myriad nations of the globe. It analyses and classifies their various languages; it investigates the average rate at which languages change. It calls to its aid all the in-formation that the sister sciences of geology and geography can render; and it earnestly inquires into the effects of climate and local position on humanity. It draws for enlightenment and suggestions on all the stores of history, and, in return, gestions on all the stores of instory, and in recursive it furnishes the historian with new masses of testimony—of testimony that cannot lie. All this, and much more, Ethnology strives to do on sound and scientific principles. It is only lately that it has been studied as a science, and has assumed the name of a science; but many of the great topics of interest which are involved in it, have awaken-ed the curiosity of learned men in the remotest ed the curiosity of learned men in the remotest ages. Such, for instance, has been the case as to the great question, whether all the races of menbelong to the same species, and are sprung from one common origin, or whether they, or any two or more of them, are descended from different stocks, and are natural aliens from each other.

"The differences among different nations, not only in hue and shape, but in disposition and intel-

every historian of ancient and modern times. One of the recent historical writers of our own

country (Mr. Alison) uses these expressions:—
" 'The slightest acquaintance with history must
be sufficient to demonstrate, that there is an essential difference in the intellectual qualities and ruling propensities of the various races of mankind; and that to the indelible influence of this cause, more even than to the effects of climate, situation, or institutions, the extraordinary diversities in the history and ultimate fate of nations are to be ascribed. While some are industrious, energetic, and persevering, others, under precisely similar circumstances, are impassioned, volatile, and capricious. While some have an elasticity which causes them to rise superior to the greatest calamities, and often extract good out of the extremity of evil, others are distinguished by a heedessness that nothing can overcome, and an insensibility to the future which renders valueless in their hands the greatest present advantages. Institutions which philosophers contemporary with the French Revolution, generally represented as the real moulders of human character, it is now seen, are in reality more frequently moulded by it. Forms of Government are rather the result of national temperament, long and imperceptibly acting on the administration of public affairs, than the means of producing any durable alteration in the disposition of the inhabitants subjected to their influence. No calamities have been found to be so overwhelming as those arising from the forcible transference to the people of one race, of the institutions of another.

"It is the province of the Ethnologist to determine the amount of these international differences, and to consider what they prove. Do they prove separate origins for separate races; or can they be accounted for on the hypothesis of all races having had a common origin, but having in the process of long centuries varied from each other? If so, what are the laws of such variation? How can it be counteracted? No one supposes that this can be done suddenly. All are now convinced of the truth of the caution which is embodied in the last sentence which we have quoted from Mr. Alison. But the question of primary equality, and whether a gradual approximation to it ought not to be sought in behalf of the now inferior races, must still be of the deepest theoretical interest, and also of serious practical importance.

The News pays a deserved compliment to Dr. Latham, in pronouncing his book as "one of the best of the time, on the best subject of the time." But the remarks made respecting Mr. Pickering are not to be commended, although clearly, in part at least, originating in mistake or in the importance of the remiserance. a mistake, or in the ignorance of the reviewer. He says :-

"This work was published in a very costly form in America; but Mr. Bohn has now placed it within the reach of the British reader for the outlay of a mere trifle. For scientific merit it is im-measurably inferior to Dr. Latham's book; but it is well worth perusal, being a very interesting and often instructive narrative of things seen and heard by the American Doctor in his extensive travels. As a collector of materials for the Ethnologist, Dr. Pickering may stand high. As an Ethnologist, we rate him very low. He appears to be deficient in philology, and thus the great armory of the true Ethnologist is closed to him. We know, indeed, from his other works, that he is well acquainted with the American-Indian languages, but this is a very small part of comparative philology. As to physiology, he seems to have been entirely guided in his classification of mankind by the peculiarities of hair and complexion. Now, there are no physical characteristics which change so rapidly, and are so much influenced by climate, as the state of the hair and complexion. Consequently, there are none which it is so unsafe to argue from as to real distinctions of race."

In the first place, the philology of the exploring expedition was assigned specially to Mr. Hale, who has produced a voluminous and most valuable work on the subject, viz.
"Ethnography and Philology of the Exploring
Expedition," one volume royal quarto, which it is clear has escaped the attention of the reviewer. Dr. Pickering, whatever might have been his inclination or wish, was debarred from going into philology, and the criticism thereupon falls. Another piece of ignorance, par-donable enough, perhaps, is exhibited by the reviewer, in confounding Dr. Pickering with the late venerable Mr. Pickering of Boston, distinguished as a scholar and philologist. His philological labors consisted of several essays, published in the Transactions of the Massachusetts Historical Society, and in the appendix to the sixth volume of the Conversa-tions-Lexicon (Encyclopædia Americana). It is only to be regretted that Dr. Pickering, by the circumstances attending the publication of his work, was prevented from making it what he desired. We hope the additional matter, and the philological deductions therefrom, may find their way before the public. Their presentation is due to a proper estimate of the scholarship of their author.

A JEWEL.

Progress of Classical Literature.-That in this nineteenth century we are making some progress in understanding the ancient Poets, is often asserted. A notable instance occurs in the well known verses of Horace (Ars Poet. 21), which we here give with the latest version :-

"Amphora cœpit Institui ; currente rota cur urceus exit? [TRANSLATION.]

"The two-handed vessel, of a toot square, is getting in fashion:—as the wheel turns, why does the pitcher disappear?"

The above is copied verbatim from the edition of "Kames's Elements of Criticism," edited by Abraham Mills, A.M. p. 166, New York, 1833 and 1838. We commend it to the Sophomores of all our Colleges.

THE MISER'S DEATH-BED.

I.

THE damp of death was on his brow. The phrensy in his eye: The laboring pulse was still and low, His breath came heavily and slow Like one about to die.

Wrinkled and wan, what change hath Time Wrought on that old man's face? The blush of youth and manhood's prime, Chilled by the Autumn's frost and rime Have left behind no trace.

17.

Hot fever nestled in his brain And stole his strength away; It sent through every nerve and vein
Delirium wild and burning pain, A dying man he lay! Then visions of his early days

Came flitting gloomily, efore his fixed and phrensied gaze, Till fearful shapes from out the maze Full met his glassy eye.

III.

A widow in weeds stood wringing her hands Over her dying child; The miser had robbed her of houses and lands And phantoms of want, in dismal bands,

Had driven her almost wild: And on that wan and sunken frame

A tattered garment hung: No stranger to sorrow, a stranger to shame No rumor had sullied her priceless fame, Or venom of slander's tongue.

Yet her starving babe! its Angel face
Had paled for want of bread:
And how could that mother endure to trace The Spoiler destroying her cherub's grace!
Then she thought of the holy dead!

How they sleep from the sorrows of life away: How flowers above them bloom-How grief cannot waken the slumbering clay From the silence that guards it—till judgment

day!

So she smiled when she thought of the tomb.

And the withered of hoary years were there,
Bending beneath their woes:
And their sobbing ghosts made the miser glare
Unearthly and wild—and infants fair
Were gathered "round him close."
The poor, he had driven from his door Away with scorn and rage; They too were there his eyes before, And still a scanty alms implore-Fierce hunger to assuage.

But the dying miser did not know What guests he had turned away: For Angel plumes full often I trow Beneath a tattered garment grow Burnished for heavenly day! Lo! he turned him away from the phantom band, For he could not bear the fright: He lifted his pale and skinny hand To scare them back to the phantom land— To drive them from his sight.

"Gold! gold!" he shrieked, "bring gold! bring gold!
And hold it before my eyes: I have lived for gold, but am weary and old,-

My vision is dim,—I'm fainting and cold,—Have they gold beyond the skies?"

The angels bended from above,
For they thought of his deathless soul; And they longed to guide it with tenderest love,

Spotless and innocent, winged like a dove, Safe to its heavenward goal.

VIII.

The angels then chanted a gladsome lay To the soul of that miser old: They sang of the mansion's heavenly day, And spirits of glory in shining array;— But the miser heard only his gold! For it rattled away so loud and long,— Merrily, sadly pealed away,— That it quite outvoiced the angels' song, Outpealed the peal of the sainted throng,

So loud was the golden lay.

But fainter and fainter the miser sighed, And begged to clutch his gold: He tried to speak, but vainly tried-The sound from his livid lips had died-And his corse lay stiff and cold! Oh! 'twas a sad and solemn thing To hear those sons of light, With saddened brow and drooping wing, The miser's soul-dirge carolling,
As they took their upward flight.

GEORGE P. RIDER.

IN MEMORY OF WORDSWORTH.

SIMPLE, serene, yet swayed by feelings deep, The gifted Poet long with earnest gaze Nature and man, in every varied phase, Stood scrutinizing: thoughts newborn thus leap To life, while o'er the lyre his fingers sweep To marshal them in rich, harmonious lays, Winning to clothe his brow earth's purest bays. O master-minstrel! well may we now weep, Who oft, entranced, have listened to thy song, And felt our souls in love of truth grow strong And virtue, wreathed by thee with music's flowers: Weep, that no more on earth, an eager throng,

Fresh notes shall greet us; yet rejoice that ours, Wordsworth! are treasured proofs of thy transcendent powers.

September 21st, 1830.

[Many attempts have been made to give an adequate version of the Emperor Adrian's celebrated apostrophe to his Soul. The following aims mainly at keeping close to the words, and imitating the brevity of the ori-ginal, without losing wholly its spirit.]

Animula, vagula, blandula, Hospes comesque corporis, Que nune abibis in loca? Pallidula, rigida, nudula, Nec, ut soles, dabis jocos ?"

Dear little fluttering, fondling sprite, Comrade and guest of the body here, To what regions now wilt take thy flight? Colorless, shivering, nude little dear, Your wonted jests will you give up quite?

Feb. 19th, 1848.

EPITAPHS AND EPIGRAMS, [From the German of Claudius.] ON THE KEEPER OF A WINDMILL. HERE lies the Miller Jackson, who
Lived on wind, with his babies and wife;
And many another lives on it, too,
Who never owned a mill in his life.

FATHER ADAM.*

ADAM, in Paradise, to sleep was laid,

Then was there, from his side, a woman made:
Poor father Adam! much it grieveth me That thy first sleep thy last repose should be !

ON THE DEATH OF THE EMPRESS. "She was a peacemaker!"—that's all my song,-A people's benediction in her face,— And with a trustful spirit, calm and strong,
As friend meets friend, she welcomed death's embrace.

What conqueror of the world was e'er so strong? " She was a peacemaker!" that ends my song.

C. T. B.

THE DRAMA.

THE NEW TRAGEDY-"PÆTUS CECINNA." It is something to be grateful for, in the present wilderness through which the theatrical community, like one of Mr. Roualeyn Cumming's lost elephants, is roving, that an original Play occasionally heaves in sight on the verge of the horizon: and that, whatever our prophetic misgivings may be as critics, as citizens we still attend the announcement of a new American Play with a certain eagerness and freshness of interest. There must be some lingering vitality in the promise, for it is still found a hopeful card with a new aspirant for theatrical honors, to show himself in an original production: and the attendance of the picked critics of the town, at the first presenta-tion of the new Tragedy of "Pætus Cecinna," by Mr. Pray, with Mr. Buchanan as hero, at the Astor Opera House on Wednesday evening of last week, indicates that expectation is yet alive and watchful. We cannot regard the selection of a Roman subject as the most favorable for either author or actor. On the very first sug-gestion of the Latin names, the mind is occu-pied and oppressed with a long procession of plays of a like character, all on the same model, with the immemorial tunic, the bare arms, and train-band of elub-wielding citizens. We anticipate at once a fearful explosion of oaths to the gods, an unmitigable tyrant, chains, a dun-geon, an afflicted wife, and the inevitable catastrophe of the dagger. By a careful study of

* The German of this was itself a translation from som English writer (Claudius says).

his subject, and an attention to the best stan-dards, the author of "Cecinna" has shaken himself clear of many of the depressing en-tanglements of the Roman topic: and, while we see a clearer course in the resolute abandonment of all traditions of the stage, and a free treatment of the theme, in the spirit of our day, we find much to applaud in the language,

character, and structure of the piece.

The story employed by Mr. Pray is briefly this. Pætus Ceeinna engaged in Illyria in the revolt of Scibonianus against the Emperor Claudius. He was taken prisoner on its failure, and carried to Rome for trial. His wife was not suffered to accompany him. She hired a small fishing boat and reached the capital. There Pætus was condemned to death. Failing in her effort to induce him to escape an ing in her effort to induce him to escape an ignominious end by suicide, she plunged the dagger into her own breast, and then offered the weapon to her husband, with the words, "It is not painful." It is to be supposed, after this, that Pætus was executed. He lingers, however, through several scenes in Mr. Pray's tragedy, but in the end escapes the Tarpeian rock by stabbing himself at its base. As this device had, it seems, to be resorted to at last, would it not have been better to have adopted the hint of a piece of sculpture in Italy, where the action is represented, of the husband supporting the dying Arria in his arms, having also struck the dagger into his own breast at the moment? This is the true dramatic ending of the play.

What authority, we might ask in passing, has Mr. Pray for using the term angels, and causing his hero to appeal to "ministering angels," when angels were not thought of. They were first introduced to the western world with Christianity.

The historical interest of this episode in

Roman history attaches mainly to Arria, a woman of the true Brutus stamp, a great fa-vorite with antiquity. The memorable inci-dent of her life, which has preserved the name of her husband in popular legend, was made current, proverbial coin, by a well known epi-gram of Martial:

Casta suo giadium cum traderat Arria Pæto, Quem de visceribus traxerat ipsa aois ; Si qua fides, vulnus quod feei son dolet, inquit, Sed quod tu facies, hoc mihi, Pæto, doiet.

We happen to have three translations of this epigram by us. The first from William Peters's "Poets and Poetry of Greece and Rome:"-

When Arria from her wounded side
To Patus gave the reeking steel,
"I feel not what I've done," she cried,
"What Patus is to do, I feel."

Miss Edgeworth introduces the story in Rosamond with a quite similar version :-

When Arria from her bleeding side Withdrew the reeking steel, "I feel not what I do," she cried; "What Pætus has to do I feel,"

Melmoth has it :-

When from her breast chaste Arria saatched the sword, And gave the deathful wespoin to her ford, "My wound," she said, "believe me, does not smart; "Tis thine alone, my Petus, palas my herr."

The younger Pliny was dissatisfied that so much of a really great woman should be forgotten, while her reputation in his day rested upon this anecdote. He was acquainted with her granddaughter, Fannia, and has recorded from her lips, in not the least interesting of his letters, other incidents equally heroic.

With these elements to work on, Mr. Pray has sustained his hero throughout the five acts at an heroic pitch of speech: and has frequently succeeded in contriving for him effective scenes and situations. One of these, which may fairly claim to be among the most happy and One of these, which may striking in the modern drama-in the very spirit of the true eloquence of patriotic appeal, occurs in the second act, where Cecinna addresses the people of Rome, in the midst of a scene memorable in their history. It was given with great judgment and a happy effect in gesture and delivery, by Mr. Buchanan:—

O men of Rome, I almost blush
To teil it—he had not consented to it.
I see you are all dumb—but what expect?
Can we yield here our highest privilege,
And wonder we are roubed of all that's dear?
Around you look! Where are we standing now?
There, on that spot, the great Virginius struck—
And yielded as a noble sacrifice
His daughter at the shrine of liberty.
There flowed the virgin's blood to make you free!
The elder Bratus here, the mangled corse
Of Rome's Lucretia bore, and with his hand,
That held the reeking dagger, raised to heaven,
Above the form of virtue at his feet,
Invoked for vengeance on the tyrant Tarquin.
Here on this Rostrum sprang, as I do now,
Gracchus, the people's friend, whose memory kept,
Emb-limed in sunless ages yet to be,
Will form his endless epitaph. He warned
The people of their downfall, as do 1!
This was the Forum.

We have also very many passaces, like this

We have also very many passages, like this, indicating the author's purpose to conform to the spirit of his story :-

Thrasess. I met him as he went, but swift he passed Not heeding me. A herald from the Gods More like than man he was, as then the earth He skinsned. As in the circus when the car Glides with a fearful awiftness, while the sun Urges the chariot's shadow first the goal to gain, The sight bewildering those who watch the ground, Ere an stood I amazed, nor questioned him. Arris. He spake not? Not a word. As one that had An awful embassy, he moved with godlike speed, His eyes fixed as in a statue's orba, His right hand closed as though he grasped a sword, And every cirporal energy so nerved Into one sinewy mass, he seemed all armed For havoe.

And another:

And another:-

And another:—
Cornelia. The worst is not yet told. A minute passed, And poised above the roof appeared a bird Pierced by a cruel shot, that tore its wing, With piecous notes and lamentations loud, Its soeg bewalled its hapless agony That poured the life-blood o'er its shining plumes; Yet mourned it thus and long. Exhausted soon, In swift and strange gyrations to the earth It fell, close at my father's feet, and there, Its breast expanding with its pain, one sigh it breathed, and calmiy perished.

Arria. Evil comes

It breathed, and calmly perished.

Fris.

Evil comes

From omens such as these; but in the strength

Of lofty purposes, the free-born soul

Should nerve itself to bear the shocks of fate

And smile at all calamities. O scorn

To tremble, high in hope that Jove protects us!

With regard to the general structure of the piece,—a more delicate consideration,—it ap-pears attended with the difficulties which uniformly beset the historical subject, where the author is driven on by the current of prescribed events, and does not feel himself at liberty to diverge, even to secure a more telling plot or a more effective succession of scenes. are, accordingly, in all or almost all plays of this kind, scenes of mere dialogue, employed to explain the necessary historical progress, which would be freely stricken out in a tra-gedy of invention. It is difficult to choose in any history a group or sequence of incidents following in regular order, which will sustain a five act piece. All that seems to be expected, or at least sought, is one eminent event; and, that being secured, the rest is allowed to provide for itself as it best can. We cannot, on these for itself as it best can. We cannot, on these accounts, avoid feeling, in productions like "Pætus Cecinna," the want of a definite, controlling purpose interfused, welding together and driving forward in a compact mass the entire five acts. The supply of action is not equal to the abundance of language; and many characters are of necessity are larged as tre: presenting no particular novelty, there is no opportunity for special comment, further than to note an improvement in the depth of his voice, and a greater solidity of conception his money by the sudden departure of the couple, M. Jacquand yesterday caused Mr. Heald to be cited before the Civil Tribunal to receive that the amount in question. But, considering that the painting is not finished, the tribunal give judgment to the effect, that Jacquand should only be auguage; and many characters are of necessity

the new tragedy well cast in several leading parts: the Claudius Cæsar of Mr. Lynne (an actor who has a reserve of ability which will in time compel the public to amend the injustice of their judgment upon his first efforts) was picturesque in costume, dignified, and well read throughout. Mrs. Jones, in Arria, although evidently somewhat surprised by an assumption of the part at short notice, showed her clear knowledge of the character, and with a natural fire and spirit which makes her at all times a satisfactory heroine in parts of that particular range. Mr. Nickinson would have shown to greater advantage in a cast of more weight and importance than Dacro (well conceived in outline, but not sufficiently filled up in action); his daughter was, as she always is pleasing in appearance, and correct in the delivery of her language, as Cornelia. Mr. Buchanan himself, although deluded by the traditional rendering into a somewhat monotonous Roman elecution, appeared throughout heroical, correct, and in attitude and gesture often commanding, as we can imagine John Kemble in similar scenes. We have no doubt that in subsequent representations, the oppre sion and hesitancy of a first night being unfelt, many more points could be and were made by all the performers. The grouping and arrangement of the stage were often striking and highly successful, and showed no defi-ciency of skill in that department. As a closing testimony to the talents of the author, we present a well sustained simile:

Cecima No—thou art wrong in that.
Think of a State that's well and truly governed.
See one great hive where each his cell erects,
In common symmetry of form and will,
To store his food for winter. You behold
The king of all the tiny architects
With not disturb the general harmony
By trespassing upon the weak and low.
Beneath him, uniform, the busy mass
Upraise the common edifice. They know
No agitations, for their leader sways
As with supernal power—from passion free.
His prime ambition not to show his strength,
Position, craftiness, or majesty;
But on the monument securely raised
To imprint the highest praise—the friend of all.
Claudius. Let Casar answer—Rome is built already,
And Casar is the owner of the hive—
Cecinna wastes his rhetoric.

And the dying words of Cecinna himself:

Ah, death, thou sternest guide to liberty,
Thy steps are ever sure. Thy great intent.
Never abandoned, gives us a glorious freedom.
In thee, though all forsake, men find a friend.
Ye Gods, who crown Olympus—who behold
This scene in ponderous silence, and with awe
Make fit the soul to enter in the midst
Of the vast circle where your presence is,
Aid me with spiritual feet to glide,
Unchecked and free, within your wide domain.

[Stabs himself.
Tis over. Now the soul goes back to freedom.
Thraseus, this dagger I bequeathe to thee.

Ha—shout. There's music in the sound. The note From which it swells is joy with death enchording—The kneil of tyrants. Lo—the crowd that awarms Around the palace of the Cæsars there.

GETA enters. Geta. Let Rome weep. Cæsar's dead; while at his feast He has been poisoned. Let Rome weep. Laugh, I say.

Mr. Murdoch performed last week an engagement of six nights at the Broadway Thea-

put upon a short allowance of incident and stage-manager, is advancing rapidly to a finish, adventure. With these drawbacks, we found and is likely to prove a most attractive addiand is likely to prove a most attractive addition to the entertainments of the town.

Mr. Booth has been playing at the National Theatre (which has passed into the efficient hands of Mr. Purdy, an always-popular con-nexion of that establishment) with great power and success.

Niblo's Garden, with the Ravels, holds on its prosperous course: with a manager as fresh and ruddy as in the days of Herr Cline, and the Old Garden with the wooden fence: a beautiful range of stores is rising in the front, which will make the whole one of the best improved localities in the metropolis.

At the Bowery, J. Wallack, Jr., and Mrs. Wallack, with a valuable stock company, have been and still are popular with the masses.

Burton, in Chambers street, stands strong for the legitimate, with a succession of the oldfashioned comedies, strongly cast, with himself, Mr. Blake, Lester, Johnston, Jordan, etc., and Mrs. Russell, Mrs. Hughes, and other favorites.

Mr. G. H. Boker has produced a new play at one of the Philadelphia theatres, reported to be well written, and to have been well received: another stone in our little household of the drama.

We learn, says the Boston Transcript, that Mr. Hackett, the American actor, has been invited by Queen Victoria to join the company that are engaged to give a series of Shak-spearian representations at Windsor Castle the ensuing season. Mr. H. will perform a short engagement at the National Theatre in this city before he leaves the country.

FACTS AND OPINIONS.

Mr. Brownson, in the new number of his Quarterly Review, takes occasion in an article on Dana's Poems and Prose Writings, to comment upon an alleged abuse of criticism, where the critic goes beyond the discussion of the work before him as a product of art to the investigation of the author himself. The distinction is forcibly stated:

—" The author, in so far as he enters into his work, that is, as strictly the author and distinguishable from the man, is, no doubt, the proper subject of criticism, but beyond he is not, for beyond he does not publish himself, and is not amenable to a literary journal. * * The man has a right to determine for himself how far he will and how far he will not, publish himself, and so far as he does not publish himself he is a private man, just as much as if he had never published anything at all."

It appears that the works of Ledru Rollin, the Décadence de l'Angleterre and the Loi Anglaise, have remained mere lumber on the shelves of the publisher. The latter has made this his plea for not meeting certain bills, as the works have produced no benefit to him; and M. Ledru Rollin has by the Tribunal of Commerce been declared liable.

Eliot Warburton, the author of the Crescent and the Cross, has a work in preparation on the History of the Poor, from the earliest period to the present time.

The Countess de Landsfelt (Lola Montes) and Mr. Heald, says Galignani, shortly after their arrival in Paris, ordered M. Jacquand, an artist of some celebrity, to paint their full-length portraits, representing the latter making the marriage present to the lady. The price agreed on was 10,000f. for the painting, and 500f. for the frame. The

should give up certain articles which had been re- tween £15,000 and £16,000. mitted to him to copy in the painting. Mr. Heald's advocate, M. Blanchette, complained that

the sum of 10,000f. was greatly too high.

M. Philarète Chasles, in an obituary of M. de
Balzae contributed to the Journal des Débats,
gives the following anecdote. In M. de Balzac's library, some years ago, there was found by a visi-tor a statuette of Napoleon in plaster, with a strip of paper wafered to it en bandeau, and on the strip of paper was written, " That which Napo-leon left unfinished with his sword, I will complete

with my pen? Honoré de Balzac."

Preparations are being made in Paris to erect a bull-ring in the Champs Elysées; and it is stated that the chiefest of matadors, Montez, will be amongst the athlete on the occasion.

A political zealot has thrown himself from the column of the Place Vendome, Paris, and was dashed to atoms at the base: the falling madman narrowly missed a young French girl.

The hawkers of journals in Paris, says La Patrie, the sale of which in the streets is prohibited, resort to numerous tricks to evade detection. Many of the men wear very large trousers, lined with journals; others make false calves with them, and some increase their natural roundity. Yesterday a female hawker, who appeared to be in an advanced state of pregnancy, was arrested. She was searched by a woman, and safely delivered of forty-eight copies of the République and the Evénement.

A dog lately appeared in London covered with advertising placards, and perambulated the Strand and Fleet street, attracting particular notice, and exciting much amusement. The quadruped, adds the Daily News, appeared to be fully conscious of the importance of his office, and marched along the street with great dignity and gravity.

A hydropathie establishment is about to be opened by an English surgeon, at Alexandria, on It is expected to the Græfenburg system. derive its main support from invalids arriving from

About £180,000 was realized by the art sale in the palace at Holland.

The Peace Congress meets next year in the city of London, and is expected to be a grand

Macaulay, the historian, has declined to contest

the representation of Cambridge.

Alfred Tennyson, the poet, is now residing at Tent-lodge, Coniston.

Mr. Charles Kean is making preparations for the theatricals at Windsor Castle next winter.

"It will be seen," says the London Athenaum,
"that Washington Irving has had good reason to
congratulate himself on the mistake (mistake if the
decision of the Chief Baron shall be held to be good law) which so long led English publishers to believe that copyright could be maintained in this works of foreigners for which they country on the had given a valuable consideration. We gave, a fortnight since, a statement of the sums paid by Mr. Murray to that gentleman, in pure waste, unless we can get a more wholesome and reasonable interpretation of the law. The policy and mo-rality of the case both point to quite opposite con-The policy and moclusions. These sums amount to an aggregate little short of £10,000:—a commercial value of the produce of Mr. Irving's brain of every penny of which he could, under the alleged state of the matter, have been pilfered, -as of a portion of it, or its legitimate profits, Mr. Murray is being pilfered now by the piracies of others. We have now to add to this amount the sums paid for copyright to the same writer by Mr. Bentley. 'In conjuncthe same wher by Mr. Bentley. In conjunc-tion, says that publisher, with my late partner, Mr. Colburn, I gave to Mr. Washington Irving for the copyright of the "Alhambra" £1,050; and afterwards I gave for "Astoria" £500, and for "Capt. Bonneville" £900. This makes a further sum of £2,450 paid Mr. Washington Irving for

We can but Mr. remark that the dealing of English publishers with one another in this matter is not to their credit. If the law be really so opposed to the equity of the case, the feeling under which a publisher can permit himself to take advantage of it is not such as can do honor to a profession which should be chivalrous by the mere fact of its connexion with

The same journal also introduces to us a new and singular phase of one-stringed religious deve-We are said to be living in an age of mere expediency—of material progress—of social derangement—of everything except faith. To this assertion there is at least one curious contradic-tion in the existence of the Ashley Down Orphan House in Somersetshire: a brief account of which, as we have received it, will probably be interesting to our readers. In that county there has lately sprung up a new religious sect, known by the inconvenient and undeclinable name of Craik-and-Müllerites, whose prime article of belief is—the power of prayer. Whatever they require, these people simply demand it of God; and, as they allege, it is bestowed on them. The text, 'Ask, and it shall be given unto you,' they adopt in its literal sense—and with a result which is marvellous if a tithe of what they assert can be accepted in their own literal spirit. The sect of the waiters on Providence is likely to spread if they can establish their premises. Not to mention other matters,—some time ago, Herr Müller and his followers took it upon their consciences to build a magnificent Orphan House. Their design was beneficent, the institution was greatly needed in the district; but instead of adopting the ordinary machinery of charity, by appeals to the rich and benevolent, they simply fell on their knees and appealed to Heaven. The responses came in from appealed to Heaven. The responses came in from every corner of England, from many cities on the Continent and in America, and in every variety of form. From one contributor came a pennyfrom another a boot-jack-from a third an an-cient coin. The farmer forwarded a cart of manure—the merchant a hogshead of sugar the landowner the produce of the sale of a tree cut down for the purpose. Women sent in their golden trinkets—men their clothes. Tables, chairs, sacks of flour, flitches of bacon, sides of beef, beds, toothpicks, coats, hats, shoes, washhand-stands, and so forth, came pouring in. The money contribuso forth, came pouring in. The money contribu-tions were halfpence, shillings, pounds - the latter in hundreds and in thousands. All these things came, it is said, as the levies of faith. What is certain is-the building is there, on Ashley Down. In arrangement, proportion, completeness of design and detail, it is one of the noblest fabrics in the country. It is already occupied by three hundred children—and the same means by which it was erected in the first instance, and is now maintained, are about to be employed for its further enlargement. No one is personally applied to for a farthing: the whole is left to the secret influences of the spirit. Yet, according to Herr Müller's statement, strangers, whom he has never seen, to whom he has not made known his case, fluences of the spirit. have given him for his orphans not less than 33,868l. 11s. 1\d. in answer to his secret prayers. These are strange facts to record among the materials for the history of the times. Mormonites and Müllerites in the midst of railways, penny postage, and halfpenny steamboats! Pointing to the noble edifice, the founder says,—'It grew by prayer: story after story, wing after wing, added themselves in answer to prayers offered on bended knees.' The mystery which envelopes the affair should not, however, blind us to the manifest in conveniences of such a creed and practice in weak hands. The thirty odd thousand pounds is only part—the orphans' part—of the wealth forwarded to Herr Müller in answer to his celestial supplicahave hitherto used his dangerous power with discopyrights which, it is said, anybody may invade.

Mr. Bentley adds:—'I have given to three other eminent American authors, Mr. Prescott, Mr. J. Fenimore Cooper, and Mr. Herman Melville, be-

mercy. Suppose, for instance, he were to ask for the moon! What would become of the Poetry of the Million!"

The return, says the Paris correspondent of the London Atlas, of Madame de C- from the East, whither jealousy and debt had despatched her for awhile, has filled with dismay the marble halls and panelled chambers of the Elysée. It is said that she has twice received notice from the police to leave the capital, and thus restore peace to the troubled soul she had been bent upon disturbing, but she laughs to scorn the ordonnances of M. Carlier, and begs to know what harm she does by gazing at and following the green carriage wherein, not long ago, she used to take her seat, announcing her intention, however, of following the injunctions of the prefect so soon as ever the green carriage itself shall have left the capital once more. It was known, the other day, that the lady in question would exhibit her performances at the Hippodrome, and crowds of the lions of Paris, of both sexes, were assembled to witness her performance. She appeared as usual, radiant and fearless, mounted on an Arab charger, the gift of the Pasha of Damascus, her costume far more dazzling than that of the ladies of the Hippodrome, against whom she condescended to try her talent. She scorned to accept of the least advantage, but started in the steeple-chase, sharing the chance with her professional competitors. The race was hot, the first sional competitors. The race was hot, the first course decidedly in favor of our fair countess; the second left no doubt of her triumph; when, alas! just at the conclusion of the third, the Arabian, which bore her with the speed of the wind, unaccustomed to run in a circle like that in which he was confined, apparently grew giddy and fell, throwing the lady right over the balustrades into the arms of a spectator more terrified than honored by the distinction. For a moment there was a serious alarm amongst the thousands of spectators gathered there, for the head of the fair Amazon had struck against the balustrade as she took the involuntary leap, and she lay senseless for some time in the arms of the gentleman who had received her in her fall; but, to the great amusement of the company, on hearing the smack of the whip with which the grooms were pursuing the fugitive horse, she started up, exclaiming, "Don't hurt the horse, it is worth 500,000 francs, and belonged to the Pasha of Damaseus," and vaulted once more over the balustrades, seating herself again on the saddle, amidst the laughter and applause of that immense multitude, who cheered and encored with the most perfect good humor, while the lady, in spite of the distressed state of her apparel, her disordered hair, and ragged finery, stood up in the stirrup and bowed with all the grace and presence

of mind imaginable.

The London Musical World tells a capital story, with a new device for compassing a Jenny Lind ticket :- " A young and wealthy Russian officer was sent over here in May, 1847, on an affair of much importance; a few days only were allowed him to transact the business. It was the eve of that musical insanity, the débût of Jenny Lind. Our Russian shared the anxiety of the million to be present; but, on applying for a ticket, he found they had been all success. He offer-music shops, &c., but without success. He offerhe found they had been all sold. He tried the ed £20 for a stall, to no purpose. This was desperate; he was to leave London the next day; therefore, the offer of procuring a stall for Jenny Lind's second appearance was useless to him. The stranger was no common-place person; he resolved, coute qui coute, to try every possible means to gain his object, and accordingly went early and stationed himself at the principal en-trance to her Majesty's Theatre. Here he ad-dressed several who were waiting for the opening of the doors, and offered a handsome sum for the relinquishment of their admission in his favor, but all were inflexible. Money was no object; no Russian gold could have atoned to them for the loss of the Swedish Nightingale's rich notes, and our friead had almost begun to despair, when, all at once, he felt an attempt at his pocket. He quickly put his hand behind him in time to catch

hold of the thief, who had fully succeeded in extricating his note-case, as it was actually in his possession. Our friend, who was a muscular possession. Our friend, who was a muscular young man, immediately seized the delinquent by the collar, and being a tolerably good English scholar, signified his intention of delivering him over to the police. The poor wretch pleaded extreme poverty, but this would not do; a wife on a bed of sickness, but this was equally unsuccessful; at the details of three starving children (the traveller was a young father) the pickpocket completely succeeded in mollifying his captor. 'Well,' said he, 'I forgive you, but only on one condition; as you are so expert in the extraction of property you must immediately procure for me one of these gentlemen's pocket books; if it should contain an admission for the opera to-night, I will allow you to depart unmolested, with the addition, perhaps, of a trifle for your wife and children; but mind, I shall have my eye upon you, and at the least appearance of your attempting to escape me, I shall give you in charge of the police.' The man cheerfully undertook the commission; and in a few minutes our Russian friend was in possession of a handsome pocket-book containing the much-craved for stall-ticket. Admonishing the light-fingered gentleman to be more honest in future, and presenting him with a handsome gratuity for his wife and family, he very soon lost sight of his professional friend in the opening rush into the theatre. The next morning Mr. —, a respectable old mer-chant, retired from business, was at breakfast, and was describing to a friend his disappointment the night before in not hearing Jenny Lind, in consequence of his having been robbed of his pocket-book at the entrance to her Majesty's Theatre, when the servant brought in a small parcel accompanied by a note. On opening the parcel, what was Mr. -'s astonishment when he discovered the stolen pocket-book exactly in the same state as when he lost it, except that, in place of the single-stall admission, it now contained a ticket for a box on the grand tier for the next night of Jenny Lind's performance. The note contained the following words: - Sir, - Pray accept the inclosed box-ticket as a small atonement for your disappointment yesterday evening. Having offered the sum of twenty pounds unsuccessfully for a stall, I inclose you that sum for the use of yours. Hoping you will enjoy the treat of which I so unceremoniously deprived you, believe me, dear Sir, your very obliged, Fanatico.' The note contained a cheque for twenty pounds."

Touching Music in London in 1851 and the

Great Industrial Exhibition, the London correspondent of the Liverpool Albion says:—"A source of discord is said to have arisen among the committee touching the accommodation to be provided for musicians, for whom vast space will be needed if half the harmonies who want it are to obtain it. Some of the committee are reported to contend that music is not the sort of 'industrial' exhibition that should be tolerated at such a time and in such a place; and that if orchestras for 2,000 German chorus-singers' and fiddlers are to be fitted up, there is no reason why Franconi shouldn't have a circus to run his French zebras against Batty's Anglo Neddies. But these fears are rather premature, if not altogether visionary. There will be no singers, no musicians of any sort contending for space, for the simple reason that their performances would have to be gratuitous, as the glass-house will be alike open to all who pay to go in, and, once in, whatever is inside is alike accessible to the ear and eye of every visitor. Hence all we hear about prodigious bands of Rhenish warblers and Russian horublowers coming over is so much nonsense; and, most probably. in the same category may be classed the report of Mr. Barnum's arrangement for Nightingale concerts in London during the coming year of mira-cles, when there are to be so many wonders that the greatest possible rarity will be a reasonable hu-

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M. Thiers, it seems from the gossiping correspondent of the London Atlas, has been engaged during his recent visit to Henry Cinq, at Wiesbaden, in the royal sport of hunting. Paris, of course, must be amused, and the following story, got up with a decided flavor of the minor theatres, is the result of the occasion :- " One story, which, strange to say, is believed, has been going the round of the salons of the Faubourg St. Germaine, and serves to prove the small esteem in which he was held by the courtiers of Wiesbaden, and the little success which his assumption of courtly manners had obtained while staying there. Amongst many other aristocratic tastes which the little roturier possesses in spite of nature, the very regal one of the chase, in all its branches, is the most remarkable. Now it appears that no art, no tuition, has been able to render him expert even in the rudiments of the science, being nervous, flurried, and exceedingly shortsighted, and his awkwardness had become so proverbial that bets have been laid at Wiesbaden upon the number of shots he would miss in the course of a morning's sport. Apparently aware of his maladroitness, and thinking that by practice he might grow more expert, the little minister had been in the habit of rising early and repairing to a wood at the outskirts of the town, where an honest garde-chasse of the grand duke's teaches the art of rabbit-shooting to the rising generation at so much per head. This circumstance had, by some means or other, been discovered by the young cavaliers who surround the embryo monarch, Henry Cinq, and whose sule occupation seems to be to divert the ennui which has become as it were the very inheritance of the Bourbons. Accordingly, one morning, when M. Thiers had repaired to the warren as usual, he was met by the old garde-chasse with the news of the presence of the finest rabbit of the season at the very moment nibbling away at the thyme behind a furze bush just in sight. Elevating himself on tip-toe, the little man beheld to his great delight the long ears of a very 'patriarch of the woods' tranquilly seated on the ground as if only waiting to be fired at. Sure of the prize, the bold sportsman levelled his gun and fired through the furze bush, rushing forward at the same time to secure the game, the first of his own shooting he had ever bagged; when, oh, miracle! his shot was answered by another from behind the bush; from the rabbit himself. Pop, pop; down falls the hunter in terror and dismay, and in doubt whether he had not received a mortal wound. There he lay trembling and calling for help, until the loud laughter of the bystanders who had been summoned by his cries for assistance, convinced him that he had been made the victim of a hoax. It was the learned Rabbit, the great wonder of Wiesbaden, who had been playing to crowded audiences during the whole season, with whom M. Thiers had been fighting a duel, and who, accustomed to play the part of Cocasse in the farce of the man being—not a very common commodity at any time, especially if of the feminine gender. Versary's fire, having been prepared with the double-lustead of a superabundance of music at the Exposition, the probability is that the want of it will nish and delight the children and nursemaids in the

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Consolation for Mr. Dodge.-Extract of a letter received yesterday from a gentleman in New York, whose opinion upon the subject of music is entitled to great respect:

New York, Sept. 26th, 1850. Dear Sir-You must bear in mind that when the first ticket was sold here we knew nothing, except from foreign report, of the value of such an article; but having heard Jenny, and many of the Boston people hav ing heard her, I am very much surprised that the first ticket was sold at such a low price. Below is my estimate of its real value in cash :

Overture by Orchestra,				00
Two pieces sung by Belletti,	at	\$6 each, .	12	00
Casta Diva, by Jenny, .		\$100 0	0	
Deduct for first night's perf	on	m-		
ange being voer much or		ad 20 0	0 20	00

ance, being very much excited, 70 00 30	00
Benedict and Hoffman on piano, 2	25
Trio, two flutes and voice, "Jenny," . 70	00
Overture with extra tenor drums, .	75
Echo Song, by "Jenny," 500	00
Pleasure of witnessing the rush for seats	-
	00
Splendid appearance of the fashion of the	00
house,	00
Squeezing out amidst various beautiful	00
	00
Jenny's modest bow to the audience, . 20	
Her trot on the stage, 50	-
Looking at her benevolent countenance	00
five minutes, 600	00
1.260	50
Deduct for loss in "Greeting to Ame-	90
riea,"	50
The returned on the section of the tensor and the San San	_
\$1,260	00
Price of ticket, 625	00

Six DAILY newspapers are now published at Milwaukie-two of them in German. In Chicago there are five dailies, in Detroit three, in Cleveland papers published in Virginia. In Pennsylvania there are 318 daily and weekly newspapers, 3 semiweeklies, 6 monthlies, 25 monthly magazines, and

\$635 00

Net profit,

-Boston Transcript.

5 quarterlies. In forty cities, towns, and villages of this country, from which census returns have been received, the population during the last ten years has increased from 382,913 to 831,805, being an increase equal to 117 per cent.

Tom Thumb's house, now building at Bridgeport, is said to be a remarkable edifice in some respects. The little fellow has rather grand notions of space, and has planned for himself ample rooms, wide passages, and lofty entrances, as if it were a mansion for Patagonians. In other respects we hear that the house is extremely well contrived, in all the arrangements, for the convenience and comfort of its inmates.

Fredrika Bremer was at Milwaukie on the 28th of September. She was to leave on the next day for the Swedish settlement on the Mississippi.

Mr. Cozzens, the proprietor of the popular hotel that bears his name, at West Point, has purchased a charming site just above Congress Springs at Saratoga, on which he proposes to build a hotel that will accommodate one thousand persons. It is to be surrounded by thirty cottages, and grounds tastefully laid out and ornamented with fountains.

The \$100,000 voted by Congress to extend the National Capitol at Washington, will, it is said, be used in the erection of a Senate Chamber, leav

should give up certain articles which had been retween £15,000 and £16,000."

mitted to him to copy in the painting. Mr. remark that the dealing of English Heald's advocate, M. Blanchette, complained that the sum of 10,000f. was greatly too high.

M. Philarète Chasles, in an obituary of M. de Balzac contributed to the Journal des Débats, gives the following anecdote. In M. de Balzac's library, some years ago, there was found by a visitor a statuette of Napoleon in plaster, with a strip of paper wasered to it en bandeau, and on the strip of paper was written, "That which Napoleon left unfinished with his sword, I will complete with my pen? Honoré de Balzac."

Preparations are being made in Paris to erect a bull-ring in the Champs Elysées; and it is stated that the chiefest of matadors, Montez, will be amongst the athletw on the occasion.

A political zealot has thrown himself from the column of the Place Vendome, Paris, and was dashed to atoms at the base: the falling madman narrowly missed a young French girl.

The hawkers of journals in Paris, says La Patrie, the sale of which in the streets is prohibited, resort to numerous tricks to evade detection. Many of the men wear very large trousers, lined with journals; others make false calves with them, and some increase their natural rotundity. Yesterday a female hawker, who appeared to be in an advanced state of pregnancy, was arrested. She was searched by a woman, and safely delivered of forty-eight copies of the République and the Engenement.

A dog lately appeared in London covered with advertising placards, and perambulated the Strand and Fleet street, attracting particular notice, and exciting much amusement. The quadruped, adds the Daily News, appeared to be fully conscious of the importance of his office, and marched along the street with great dignity and gravity.

A hydropathic establishment is about to be opened by an English surgeon, at Alexandria, on the Graefenburg system. It is expected to derive its main support from invalids arriving from India.

About £180,000 was realized by the art sale in the palace at Holland.

The Peace Congress meets next year in the city of London, and is expected to be a grand display.

Macaulay, the historian, has declined to contest the representation of Cambridge.

Alfred Tennyson, the poet, is now residing at Tent-lodge, Coniston.

Mr. Charles Kean is making preparations for the theatricals at Windsor Castle next winter.

" It will be seen," says the London Athenaum, " that Washington Irving has had good reason to congratulate himself on the mistake (mistake if the decision of the Chief Baron shall be held to be good law) which so long led English publishers to believe that copyright could be maintained in this country on the works of foreigners for which they had given a valuable consideration. We gave, a fortnight since, a statement of the sums paid by Mr. Murray to that gentleman, in pure waste, unless we can get a more wholesome and reasonable interpretation of the law. The policy and morality of the case both point to quite opposite conclusions. These sums amount to an aggregate little short of £10,000:—a commercial value of the produce of Mr. Irving's brain of every penny of which he could, under the alleged state of the matter, have been pilfered,—as of a portion of it, or its legitimate profits, Mr. Murray is being pilfered now by the piracies of others. We have now to now by the piracies of others. We have now to add to this amount the sums paid for copyright to add to this amount the sums paid for copyright to the same writer by Mr. Bentley. 'In conjunction,' says that publisher, with my late partner, Mr. Colburn, I gave to Mr. Washington Irving for the copyright of the "Alhambra" £1,050; and afterwards I gave for "Astoria" £500, and for "Capt. Bonneville" £900.' This makes a further sum of £2,450 paid Mr. Washington Irving for conviction which it is said annual to the part ward. copyrights which, it is said, anybody may invade. Mr. Bentley adds:—'I have given to three other eminent American authors, Mr. Prescott, Mr. J. Fenimore Cooper, and Mr. Herman Melville, be-

tween £15,000 and £16,000. We can but remark that the dealing of English publishers with one another in this matter is not to their credit. If the law be really so opposed to the equity of the case, the feeling under which a publisher can permit himself to take advantage of it is not such as can do honor to a profession which should be chivalrous by the mere fact of its connexion with letters.

The same journal also introduces to us a new and singular phase of one-stringed religious development :- "We are said to be living in an age of mere expediency—of material progress—of social derangement—of everything except faith. To this assertion there is at least one curious contradiction in the existence of the Ashley Down Orphan House in Somersetshire: a brief account of which, as we have received it, will probably be interesting to our readers. In that county there has lately sprung up a new religious sect, known by the inconvenient and undeclinable name of Craik-and-Müllerites, whose prime article of belief is-the power of prayer. Whatever they require, these people simply demand it of God; and, as they allege, it is bestowed on them. The text, 'Ask, and it shall be given unto you,' they adopt in its literal sense—and with a result which is marvellous if a tithe of what they assert can be accepted in their own literal spirit. The sect of the waiters on Providence is likely to spread if they can establish their premises. Not to mention other matters,—some time ago, Herr Müller and his followers took it upon their consciences to build a magnificent Orphan House. Their design was beneficent, the institution was greatly needed in the district; but instead of adopting the ordinary machinery of charity, by appeals to the rich and benevolent, they simply fell on their knees and appealed to Heaven. The responses came in from every corner of England, from many cities on the Continent and in America, and in every variety From one contributor came a pennyfrom another a boot-jack—from a third an an-cient coin. The farmer forwarded a cart of manure—the merchant a hogshead of sugar the landowner the produce of the sale of a tree cut down for the purpose. Women sent in their golden trinkets—men their clothes. Tables, chairs, sacks of flour, flitches of bacon, sides of beef, beds, toothpicks, coats, hats, shoes, washhand-stands, and so forth, came pouring in. The money contributions were halfpence, shillings, pounds—the latter in hundreds and in thousands. All these things came, it is said, as the levies of faith. What is certain is-the building is there, on Ashley Down. In arrangement, proportion, completeness of design and detail, it is one of the noblest fabrics in the country. It is already occupied by three hundred children-and the same means by which it was erected in the first instance, and is now maintained, are about to be employed for its further enlargement. No one is personally applied to for a farthing: the whole is left to the secret influences of the spirit. Yet, according to Herr Müller's statement, strangers, whom he has never seen, to whom he has not made known his case, have given him for his orphans not less than 33,868l. 11s. 1\d. in answer to his secret prayers. These are strange facts to record among the materials for the history of the times. and Müllerites in the midst of railways, penny postage, and halfpenny steamboats! Pointing to the noble edifice, the founder says,—'It grew by prayer: story after story, wing after wing, added themselves in answer to prayers offered on bended knees.' The mystery which envelopes the affair should not, however, blind us to the manifest inconveniences of such a creed and practice in weak hands. The thirty odd thousand pounds is only part—the orphans' part—of the wealth forwarded to Herr Müller in answer to his celestial supplications; and the fact that the new apostle seems to have hitherto used his dangerous power with discretion, may be an uncertain guarantee for his fu-

mercy. Suppose, for instance, he were to ask for the moon! What would become of the Poetry of the Million!"

The return, says the Paris correspondent of the London Atlas, of Madame de C—— from the East, whither jealousy and debt had despatched her for awhile, has filled with dismay the marble halle and panelled chambers of the Elysée. It is said that she has twice received notice from the police to leave the capital, and thus restore peace to the troubled soul she had been bent upon disturbing, but she laughs to scorn the ordonnances of M. Carlier, and begs to know what harm she does by gazing at and following the green carriage wherein, not long ago, she used to take her seat, an-nouncing her intention, however, of following the injunctions of the prefect so soon as ever the green carriage itself shall have left the capital once more. It was known, the other day, that the lady in question would exhibit her performances at the Hippodrome, and crowds of the lions of Paris, of both sexes, were assembled to witness her performance. She appeared as usual, radiant and fearless, mounted on an Arab charger, the gift of the Pasha of Da-mascus, her costume far more dazzling than that of the ladies of the Hippodrome, against whom she condescended to try her talent. She scorned to accept of the least advantage, but started in the steeple-chase, sharing the chance with her professional competitors. The race was hot, the first sional competitors. The race was hot, the first course decidedly in favor of our fair countess; the second left no doubt of her triumph; when, alas! just at the conclusion of the third, the Arabian, which bore her with the speed of the wind, unaecustomed to run in a circle like that in which he was confined, apparently grew giddy and fell, throwing the lady right over the balustrades into the arms of a spectator more terrified than honored by the distinction. For a moment there was a serious alarm amongst the thousands of spectators gathered there, for the head of the fair Amazon had struck against the balustrade as she took the involuntary leap, and she lay senseless for some time in the arms of the gentleman who had received her in her fall; but, to the great amusement of the company, on hearing the smack of the whip with which the grooms were pursuing the fugitive horse, she started up, exclaiming, "Don't hurt the horse, it is worth 500,000 francs, and belonged to the Pasha of Damaseus," and vaulted once more over the balustrades, seating herself again on the saddle, amidst the laughter and applause of that im-mense multitude, who cheered and encored with the most perfect good humor, while the lady, in spite of the distressed state of her apparel, her disordered hair, and ragged finery, stood up in the stirrup and bowed with all the grace and presence of mind imaginable

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Overture by Orchestra. Two pieces sung by Belletti, at \$6 each, . 12 00 Casta Diva, by Jenny, . . . \$100 00

Deduct for first night's performance, being very much excited, 70 00 30 00 Benedict and Hoffman on piano, Trio, two flutes and voice, "Jenny," Overture with extra tenor drums, . 500 00 Echo Song, by "Jenny," Pleasure of witnessing the rush for seats by the b'hoys after 8 o'clock, 5 00 Splendid appearance of the fashion of the house, 10 00 Squeezing out amidst various beautiful 5 00 ladies. Jenny's modest bow to the audience. 20 00 Her trot on the stage, 50 00 Looking at her benevolent countenance 600 00 five minutes, . 1,260 50 Deduct for loss in "Greeting to Ame-50 \$1.260 00 Price of ticket, . .

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[From the Society's Bulletin for September.]

We believe that no Art-Union Society in the World has ever made so valuable a return as that which will be received this year by the Subscribers of the American Art-Union. The managers some time since arrived at the conclusion that for the present, at any rate, the interests of Art as well as the wishes of the members would be consulted, by adding to the value of that which every one of them should receive, even if thereby the number of paintings to be distributed might be somewhat lessened. With this view they commissioned an engraving which they believe will be pronounced far better than any they have previously issued, both as regards technical execution and faithful rendering of the original picture. It is already sufficiently advanced to warrant the expression of this belief. The figure of ANNE PAGE, which LESLIE has endowed with a delicacy and grace so subtle and refined that its reproduction in black and white seems almost beyond the powers of the most skilful burin, is so nearly completed, and so successfully, too, that we may venture to predict the most happy results in the treatment of the whole work.

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The Bulletia for the remainder of the year will probably contain more valuable illustrations than those which have hitherto been published. We may announce, among others, an original etching in outline by Darley, whose works are now recognised in Europe as well as America as among the best in the world in their department, and whose fame the American Art Union has had the gratifying privilege of materially extending. It will be seen that the present number contains a highly finished etching by HINSHELL woon, after a drawing by Essano Millern, of the first picture of the series of the VOYAGE OF LIFE. Eachings of the third and fourth of the series will follow in succeeding numbers of the Bulletin.

In thus describing the return which each member will be certain to receive for each sum of five dollars contributed by him, we must not forget the works of Art already purchased to be included in the distribution for the present year, and which are certainly more numerous, interesting, and valuable than we have ever before exhibited at a corresponding period.

The September Bulletin for 1849, announced a Catalogue of but Two Hundred Works. We now present to the Public a List of more than Three Hundred, several among them being the best productions of their authors. It will be conceded, we think, that our walls have never exhibited better specimens of GLASS, RANNEY, HICES, PERLE, BOUTELLE, CRURCE, HINCKLEY, KENSETT, DOUGHTY, GIGNOUX, HUBBARD, CASILEAR, COLE, CROPSEY, AMES, and others, than they now contain. Besides these paintings there will be included in the distribution a beautiful bas relief in murble, by PALMER, of MORNING; a bust in marble, by Mosier; twenty copies in Bronze of THE FILATRICE, a most graceful Statuette, by Brown; six Bronze Busts of WASHINGTON, by KNEELAND; and several hundred Bronze Meduls of Stuart and Trumbuil. Such is the return which the Society is already prepared to offer to the Subscribers of 1850, and which will be still further extended and increased in value by the operations of the remaining months of the year.

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